

A bill for an act

relating to state government; appropriating money from constitutionally dedicated funds; modifying appropriation to prevent water pollution from polycyclic aromatic hydrocarbons; modifying certain administrative accounts; modifying electronic transaction provisions; providing for certain registration exemptions; modifying all-terrain vehicle definitions; modifying all-terrain vehicle operation restrictions; modifying state trails and canoe and boating routes; modifying fees and disposition of certain receipts; modifying certain competitive bidding exemptions; modifying horse trail pass provisions; modifying beaver dam provisions; modifying the Water Law; modifying nongame wildlife checkoffs; establishing an Environment and Natural Resources Organization Advisory Committee to advise legislature and governor on new structure for administration of environment and natural resource policies; requiring an advisory committee to consider all powers and duties of Pollution Control Agency, Department of Natural Resources, Environmental Quality Board, Board of Water and Soil Resources, Petroleum Tank Release Compensation Board, Harmful Substances Compensation Board, and Agricultural Chemical Response Compensation Board and certain powers and duties of Departments of Agriculture, Health, Transportation, and Commerce; modifying method of determining value of acquired stream easements; providing for certain historic property exemption; modifying state forest acquisition provisions; modifying certain requirements for land sales; adding to and deleting from state parks and state forests; authorizing public and private sales, conveyances, and exchanges of certain state land; amending the definition of "green economy" to include the concept of "green chemistry;" clarifying that an appropriation is to the commissioner of commerce; establishing a program to provide rebates for solar photovoltaic modules; providing for community energy planning; modifying Legislative Energy Commission and Public Utilities Commission provisions; eliminating a legislative guide; appropriating money; amending Minnesota Statutes 2008, sections 3.8851, subdivision 7; 84.025, subdivision 9; 84.027, subdivision 15; 84.0272, subdivision 2; 84.0856; 84.0857; 84.777, subdivision 2; 84.82, subdivision 3, by adding a subdivision; 84.92, subdivisions 9, 10; 84.922, subdivision 5, by adding a subdivision; 84.925, subdivision 1; 84.9256, subdivision 1; 84.928, subdivision 5; 85.012, subdivision 40; 85.015, subdivision 14; 85.22, subdivision 5; 85.32, subdivision 1; 85.41, subdivision 3; 85.42; 85.43; 85.46, as amended; 88.17, subdivisions 1, 3; 88.79, subdivision 2; 89.032, subdivision 2; 90.041, by adding a subdivision; 90.121; 90.14; 97B.665, subdivision 2; 103A.305; 103G.271, subdivision 3; 103G.285, subdivision 5; 103G.301, subdivision 6; 103G.305, subdivision 2;

103G.315, subdivision 11; 103G.515, subdivision 5; 103G.615, subdivision 2; 115A.02; 116.07, subdivisions 4, 4h; 116J.437, subdivision 1; 216B.62, by adding a subdivision; 290.431; 290.432; 473.1565, subdivision 2; Minnesota Statutes 2009 Supplement, sections 84.415, subdivision 6; 84.793, subdivision 1; 84.9275, subdivision 1; 84.928, subdivision 1; 85.015, subdivision 13; 86A.09, subdivision 1; 103G.201; Laws 2008, chapter 368, article 1, section 34, as amended; Laws 2009, chapter 37, article 2, section 13; Laws 2009, chapter 176, article 4, section 9; Laws 2010, chapter 215, article 3, section 4, subdivision 10; proposing coding for new law in Minnesota Statutes, chapters 85; 103G; 116C; repealing Minnesota Statutes 2008, sections 84.02, subdivisions 1, 2, 3, 4, 5, 6, 7, 8; 90.172; 97B.665, subdivision 1; 103G.295; 103G.650; Minnesota Statutes 2009 Supplement, sections 3.3006; 84.02, subdivisions 4a, 6a, 6b; Laws 2009, chapter 172, article 5, section 8.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

OUTDOOR HERITAGE FUND

Section 1. OUTDOOR HERITAGE APPROPRIATION.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this act. The appropriations are from the outdoor heritage fund and are available for the fiscal years indicated for each purpose. The figures "2010" and "2011" used in this act mean that the appropriations listed under them are available for the fiscal year ending June 30, 2010, or June 30, 2011, respectively. "The first year" is fiscal year 2010. "The second year" is fiscal year 2011. "The biennium" is fiscal years 2010 and 2011. The appropriations in this act are onetime.

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2010</u>	<u>2011</u>

Sec. 2. OUTDOOR HERITAGE

<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>58,939,000</u>
---	-----------	----------	-----------	-------------------

This appropriation is from the outdoor heritage fund. The amounts that may be spent for each purpose are specified in the following subdivisions.

<u>Subd. 2. Prairies</u>	<u>0</u>	<u>18,093,000</u>
--------------------------	----------	-------------------

(a) Accelerated Prairie Grassland Restoration and Enhancement Program on DNR Lands

3.1 \$5,833,000 in fiscal year 2011 is to the
3.2 commissioner of natural resources to
3.3 accelerate the protection, restoration, and
3.4 enhancement of native prairie vegetation.
3.5 A list of proposed land acquisitions,
3.6 restorations, and enhancements, describing
3.7 the types and locations of acquisitions,
3.8 restorations, and enhancements, must
3.9 be provided as part of the required
3.10 accomplishment plan. All restorations must
3.11 comply with subdivision 9, paragraph (b).

3.12 **(b) The Green Corridor Legacy Program**

3.13 \$1,651,000 in fiscal year 2011 is to the
3.14 commissioner of natural resources for
3.15 an agreement with the Redwood Area
3.16 Communities Foundation or its successor to
3.17 acquire and restore land for purposes allowed
3.18 under the Minnesota Constitution, article XI,
3.19 section 15, in Redwood, Renville, Brown,
3.20 Nicollet, Murray, Lyon, Yellow Medicine,
3.21 Chippewa, and Cottonwood Counties to be
3.22 added to the state outdoor recreation system
3.23 as defined in Minnesota Statutes, chapter
3.24 86A. A list of proposed fee title acquisitions
3.25 must be provided as part of the required
3.26 accomplishment plan. The commissioner
3.27 of natural resources must agree to each
3.28 proposed acquisition. All restorations must
3.29 comply with subdivision 9, paragraph (b).

3.30 **(c) Prairie Heritage Fund - Acquisition and**
3.31 **Restoration**

3.32 \$3,015,000 in fiscal year 2011 is to the
3.33 commissioner of natural resources for an
3.34 agreement with Pheasants Forever or its
3.35 successor to acquire and restore land to

4.1 be added to the state wildlife management
4.2 area system. A list of proposed fee title
4.3 acquisitions and a list of proposed restoration
4.4 projects, describing the types and locations
4.5 of restorations, must be provided as part
4.6 of the required accomplishment plan. The
4.7 commissioner of natural resources must
4.8 agree to each proposed acquisition. All
4.9 restorations must comply with subdivision
4.10 9, paragraph (b).

4.11 **(d) Northern Tallgrass Prairie National**
4.12 **Wildlife Refuge Protection**

4.13 \$2,041,000 in fiscal year 2011 is to the
4.14 commissioner of natural resources for an
4.15 agreement with The Nature Conservancy or
4.16 its successor to acquire land or permanent
4.17 easements within the Northern Tallgrass
4.18 Prairie Habitat Preservation Area in western
4.19 Minnesota for addition to the Northern
4.20 Tallgrass Prairie National Wildlife Refuge.
4.21 A list of proposed fee title and permanent
4.22 easement acquisitions must be provided as
4.23 part of the required accomplishment plan.
4.24 Land removed from this program shall
4.25 transfer to the state. The accomplishment
4.26 plan must include an easement stewardship
4.27 plan.

4.28 **(e) Rum River - Cedar Creek Initiative**

4.29 \$1,900,000 in fiscal year 2011 is to the
4.30 commissioner of natural resources for an
4.31 agreement with Anoka County to acquire fee
4.32 title to land at the confluence of the Rum
4.33 River and Cedar Creek in Anoka County.
4.34 Land acquired in fee must remain open to
4.35 hunting and fishing, consistent with the

5.1 capacity of the land, during the open season,
5.2 as determined by the commissioner of natural
5.3 resources. All restorations must comply with
5.4 subdivision 9, paragraph (b).

5.5 **(f) Minnesota Prairie Recovery Project**

5.6 \$3,653,000 in fiscal year 2011 is to the
5.7 commissioner of natural resources for an
5.8 agreement with The Nature Conservancy or
5.9 its successor for a pilot project to acquire
5.10 interests in land and restore and enhance
5.11 prairie and prairie/wetland habitat in the
5.12 prairie regions of western and southwestern
5.13 Minnesota. The Nature Conservancy may
5.14 acquire land in fee or through permanent
5.15 conservation easements. A list of proposed
5.16 fee title and permanent conservation
5.17 easements, and a list of proposed restorations
5.18 and enhancements, must be provided as part
5.19 of the required accomplishment plan. All
5.20 restorations must comply with subdivision 9,
5.21 paragraph (b). The commissioner of natural
5.22 resources must agree to each acquisition
5.23 of interest in land, restoration project, and
5.24 enhancement project. The accomplishment
5.25 plan must include an easement stewardship
5.26 plan.

5.27 Subd. 3. Forests 0 5,603,000

5.28 **(a) Critical Shoreline Habitat Protection**
5.29 **Program**

5.30 \$816,000 in fiscal year 2011 is to the
5.31 commissioner of natural resources for
5.32 an agreement with the Minnesota Land
5.33 Trust or its successor to acquire permanent
5.34 conservation easements protecting critical
5.35 shoreline habitats in Koochiching, Cook,

6.1 Lake, and St. Louis County portions of the
6.2 northern forest area in northern Minnesota
6.3 and provide stewardship for those easements.

6.4 A list of proposed conservation easement
6.5 acquisitions must be provided as part of
6.6 the required accomplishment plan. The
6.7 accomplishment plan must include an
6.8 easement stewardship plan.

6.9 **(b) Protect Key Industrial Forest Land Tracts**
6.10 **in Central Minnesota**

6.11 \$594,000 in fiscal year 2011 is to the
6.12 commissioner of natural resources for an
6.13 agreement with Cass County to acquire lands
6.14 that assist with gaining access for restoration
6.15 and enhancement purposes to existing public
6.16 land tracts. A list of proposed acquisitions
6.17 must be provided as part of the required
6.18 accomplishment plan.

6.19 **(c) Little Nokasippi River Wildlife**
6.20 **Management Area**

6.21 \$843,000 in fiscal year 2011 is to the
6.22 commissioner of natural resources
6.23 for acceleration of agency programs and
6.24 cooperative agreements to acquire interests in
6.25 land within the boundaries of the Minnesota
6.26 National Guard Army compatible use buffer
6.27 (ACUB) program. Of this appropriation,
6.28 \$225,000 is for the Department of Natural
6.29 Resources to acquire land for wildlife
6.30 management areas and \$618,000 is for an
6.31 agreement with the Board of Water and Soil
6.32 Resources to acquire permanent conservation
6.33 easements. A list of proposed acquisitions
6.34 must be provided as part of the required
6.35 accomplishment plan.

7.1 (d) Accelerated Forest Wildlife Habitat
7.2 Program

7.3 \$1,791,000 in fiscal year 2011 is to the
7.4 commissioner of natural resources for
7.5 acceleration of agency programs to acquire,
7.6 in fee, land for state forests and restore and
7.7 enhance state forest habitat. A list of projects
7.8 including proposed fee title acquisitions
7.9 and restorations and enhancements must
7.10 be provided as part of the required
7.11 accomplishment plan. All restorations must
7.12 comply with subdivision 9, paragraph (b).

7.13 (e) Northeastern Minnesota Sharp-Tailed
7.14 Grouse Habitat

7.15 \$1,559,000 in fiscal year 2011 is to the
7.16 commissioner of natural resources for
7.17 an agreement with Pheasants Forever or
7.18 its successor to acquire interests in land,
7.19 and to restore and enhance habitat for
7.20 sharp-tailed grouse in Kanabec, Aitkin, and
7.21 St. Louis Counties in cooperation with the
7.22 Minnesota Sharp-Tailed Grouse Society. A
7.23 list of proposed acquisitions and a list of
7.24 proposed restorations and enhancements
7.25 must be provided as part of the required
7.26 accomplishment plan. The commissioner
7.27 of natural resources must agree to each
7.28 acquisition of interest in land, restoration
7.29 project, and enhancement project. All
7.30 restorations must comply with subdivision
7.31 9, paragraph (b).

7.32 Subd. 4. Wetlands

7.33 (a) Accelerated Shallow Lake and Wetland
7.34 Enhancement and Restoration Program

<u>0</u>	<u>16,905,000</u>
----------	-------------------

8.1 \$6,505,000 in fiscal year 2011 is to the
8.2 commissioner of natural resources to assess,
8.3 enhance, and restore shallow lake and
8.4 wetland habitats, to acquire land in fee or
8.5 through permanent conservation easements
8.6 for shallow lake program restoration, and to
8.7 provide stewardship for acquired easements
8.8 in cooperation with Ducks Unlimited, Inc.,
8.9 or its successor. Of this appropriation,
8.10 \$1,463,000 is for the Department of Natural
8.11 Resources agency program acceleration
8.12 and \$5,042,000 is for an agreement with
8.13 Ducks Unlimited, Inc. A list of proposed
8.14 projects, describing the types and locations
8.15 of land acquisitions, restoration projects, and
8.16 enhancement projects, must be provided as
8.17 part of the required accomplishment plan.
8.18 The commissioner of natural resources
8.19 must agree to each acquisition, restoration
8.20 project, and enhancement project. The
8.21 accomplishment plan must include an
8.22 easement stewardship plan. All restorations
8.23 must comply with subdivision 9, paragraph
8.24 (b).

8.25 **(b) Accelerate the Waterfowl Production Area**
8.26 **Program in Minnesota**

8.27 \$3,505,000 in fiscal year 2011 is to the
8.28 commissioner of natural resources for an
8.29 agreement with Pheasants Forever or its
8.30 successor to acquire and restore wetland and
8.31 related upland habitats, in cooperation with
8.32 the United States Fish and Wildlife Service
8.33 and Ducks Unlimited, Inc. or its successor to
8.34 be managed as waterfowl production areas.
8.35 A list of proposed acquisitions and a list of
8.36 proposed projects, describing the types and

9.1 locations of restorations, must be provided
9.2 as part of the required accomplishment
9.3 plan. All restorations must comply with
9.4 subdivision 9, paragraph (b).

9.5 **(c) Reinvest in Minnesota Wetlands Reserve**
9.6 **Program Acquisition and Restoration**

9.7 \$6,895,000 in fiscal year 2011 is to the Board
9.8 of Water and Soil Resources to acquire
9.9 permanent conservation easements and
9.10 restore wetlands and associated uplands
9.11 in cooperation with the United States
9.12 Department of Agriculture Wetlands Reserve
9.13 Program. A list of proposed acquisitions
9.14 and a list of proposed projects, describing
9.15 the types and locations of restorations,
9.16 must be provided as part of the required
9.17 accomplishment plan. All restorations must
9.18 comply with subdivision 9, paragraph (b).

9.19 **Subd. 5. Habitat** 0 17,563,000

9.20 **(a) Metro Big Rivers Habitat Program**

9.21 \$2,397,000 in fiscal year 2011 is to the
9.22 commissioner of natural resources for
9.23 agreements for projects to protect, restore,
9.24 and enhance natural systems of the Minnesota
9.25 River, St. Croix River, Mississippi River, and
9.26 their major tributaries as follows: \$500,000
9.27 with Minnesota Valley Trust or its successor
9.28 for fee title land acquisition; \$1,500,000 with
9.29 the Trust for Public Land or its successor
9.30 for fee title land acquisition; \$227,300 with
9.31 the Friends of the Mississippi River or its
9.32 successor for restoration, enhancement,
9.33 and conservation easement acquisition; and
9.34 \$169,700 with Great River Greening or its
9.35 successor for restoration and enhancement.

10.1 The accomplishment plan must include an
10.2 easement stewardship plan. All restorations
10.3 must comply with subdivision 9, paragraph
10.4 (b).

10.5 **(b) Accelerated Aquatic Management Area**
10.6 **Acquisition**

10.7 \$3,416,000 in fiscal year 2011 is to the
10.8 commissioner of natural resources to
10.9 accelerate land acquisition by fee title and
10.10 easements to be added to the state aquatic
10.11 management area system as defined in
10.12 Minnesota Statutes, chapter 86A, and to
10.13 restore and enhance stream habitat and lake
10.14 habitat. Land acquired in fee must remain
10.15 open to hunting and fishing, consistent with
10.16 the capacity of the land, during the open
10.17 season, as determined by the commissioner
10.18 of natural resources. A list of proposed
10.19 fee title and easement acquisitions, stream
10.20 habitat restorations and enhancements, and
10.21 lake habitat restorations and enhancements
10.22 must be provided as part of the required
10.23 accomplishment plan.

10.24 **(c) Cold Water River and Stream Restoration,**
10.25 **Protection, and Enhancement**

10.26 \$1,269,000 in fiscal year 2011 is to the
10.27 commissioner of natural resources for an
10.28 agreement with Trout Unlimited or its
10.29 successor to restore, enhance, and protect
10.30 cold water river and stream habitats in
10.31 Minnesota. A list of proposed acquisitions
10.32 and a list of proposed projects, describing
10.33 the types and locations of restorations and
10.34 enhancements, must be provided as part
10.35 of the required accomplishment plan. The
10.36 commissioner of natural resources must agree

11.1 to each proposed acquisition, restoration, and
11.2 enhancement. All restorations must comply
11.3 with subdivision 9, paragraph (b).

11.4 **(d) Dakota County Riparian and Lakeshore**
11.5 **Protection and Restoration**

11.6 \$2,097,000 in fiscal year 2011 is to the
11.7 commissioner of natural resources for
11.8 an agreement with Dakota County for
11.9 acquisition of permanent easements and
11.10 enhancement and restoration of aquatic
11.11 and associated upland habitat. A list of
11.12 proposed acquisitions and restorations
11.13 must be provided as part of the required
11.14 accomplishment plan. The accomplishment
11.15 plan must include an easement stewardship
11.16 plan. All restorations must comply with
11.17 subdivision 9, paragraph (b).

11.18 **(e) Valley Creek Protection Partnership**

11.19 \$1,218,000 in fiscal year 2011 is to the
11.20 commissioner of natural resources for
11.21 agreements on projects to protect, restore,
11.22 and enhance natural systems of Valley Creek
11.23 in Washington County as follows: \$838,000
11.24 with Minnesota Land Trust or its successor;
11.25 \$218,000 with Washington County;
11.26 \$100,000 with the Belwin Conservancy or its
11.27 successor; \$50,000 with Trout Unlimited or
11.28 its successor; and \$12,000 with the Valley
11.29 Branch Watershed District. All restorations
11.30 must comply with subdivision 9, paragraph
11.31 (b).

11.32 **(f) Anoka Sand Plain Restoration and**
11.33 **Enhancement**

11.34 \$747,000 in fiscal year 2011 is to the
11.35 commissioner of natural resources for an

12.1 agreement with Great River Greening or its
12.2 successor to restore and enhance habitat on
12.3 public property in the Anoka Sand Plain in
12.4 Anoka, Chisago, Isanti, Benton, Washington,
12.5 Morrison, and Sherburne Counties. All
12.6 restorations must comply with subdivision
12.7 9, paragraph (b).

12.8 **(g) Lower Mississippi River Habitat**
12.9 **Restoration Acceleration**

12.10 \$1,000,000 in fiscal year 2011 is to
12.11 the commissioner of natural resources
12.12 to accelerate agency programs and for
12.13 cooperative agreements to acquire land in
12.14 the Root River watershed. A list of proposed
12.15 acquisitions must be provided as part of
12.16 the required accomplishment plan. The
12.17 commissioner of natural resources must agree
12.18 to each proposed acquisition, restoration, and
12.19 enhancement. All restorations must comply
12.20 with subdivision 9, paragraph (b).

12.21 **(h) Washington County St. Croix River Land**
12.22 **Protection**

12.23 \$1,033,000 in fiscal year 2011 is to the
12.24 commissioner of natural resources for an
12.25 agreement with Washington County to
12.26 acquire permanent easements to protect
12.27 habitat associated with the St. Croix River
12.28 Valley. A list of proposed acquisitions
12.29 must be provided as part of the required
12.30 accomplishment plan. The accomplishment
12.31 plan must include an easement stewardship
12.32 plan.

12.33 **(i) Outdoor Heritage Conservation Partners**
12.34 **Grant Program**

12.35 \$4,386,000 in fiscal year 2011 is to the
12.36 commissioner of natural resources for a

13.1 program to provide competitive, matching
13.2 grants of up to \$400,000 to local, regional,
13.3 state, and national organizations, including
13.4 government, for enhancement, restoration,
13.5 or protection of forests, wetlands, prairies,
13.6 and habitat for fish, game, or wildlife in
13.7 Minnesota. The commissioner of natural
13.8 resources shall give priority to organizations
13.9 that have a history or charter to receive
13.10 private contributions for local conservation
13.11 or habitat projects. Up to four percent
13.12 of this appropriation may be used by the
13.13 commissioner of natural resources for
13.14 administering the grant program. Grantees
13.15 may acquire land or interests in land.
13.16 Easements must be permanent. Land
13.17 acquired in fee must be open to hunting
13.18 and fishing during the open season unless
13.19 otherwise provided by state law. The
13.20 commissioner of natural resources must
13.21 agree to each proposed acquisition of land or
13.22 interest in land. The program shall require a
13.23 cash match of at least ten percent nonstate
13.24 funds. The criteria for evaluating grant
13.25 applications must include amount of habitat
13.26 restored, enhanced, or protected; local
13.27 support; degree of collaboration; urgency;
13.28 capacity to achieve multiple benefits;
13.29 habitat benefits provided; consistency with
13.30 sound conservation science; adjacency to
13.31 protected lands; full funding of the project;
13.32 supplementing existing funding; public
13.33 access for hunting and fishing during the
13.34 open season; sustainability; and use of native
13.35 plant materials. All projects must conform
13.36 to the Minnesota statewide conservation and

14.1 preservation plan. Wildlife habitat projects
14.2 must also conform to the Minnesota wildlife
14.3 action plan. Priority may be given to projects
14.4 acquiring land or easements associated
14.5 with existing wildlife management areas.
14.6 All restoration or enhancement projects
14.7 must be on land permanently protected by
14.8 conservation easement or public ownership.
14.9 Subdivision 9 applies to grants awarded
14.10 under this paragraph. All restorations must
14.11 comply with subdivision 9, paragraph (b).
14.12 This appropriation is available until June
14.13 30, 2014, at which time all grant project
14.14 work must be completed and final products
14.15 delivered, unless an earlier date is specified
14.16 in the grant agreement. No less than five
14.17 percent of the amount of each grant must
14.18 be held back from reimbursement until
14.19 the grant recipient has completed a grant
14.20 accomplishment report by the deadline and
14.21 in the form prescribed by and satisfactory to
14.22 the Lessard-Sams Outdoor Heritage Council.

14.23	<u>Subd. 6. Administration and Other</u>	<u>0</u>	<u>775,000</u>
-------	---	----------	----------------

14.24 (a) **Contract Management**

14.25 \$175,000 in fiscal year 2011 is to the
14.26 commissioner of natural resources for
14.27 contract management duties assigned in this
14.28 section.

14.29 (b) **Legislative Coordinating Commission**

14.30 \$600,000 in fiscal year 2011 is to the
14.31 Legislative Coordinating Commission for
14.32 administrative expenses of the Lessard-Sams
14.33 Outdoor Heritage Council and for
14.34 compensation and expense reimbursement
14.35 of council members.

15.1 (c) Lessard-Sams Outdoor Heritage Council
15.2 Site Visit Exception

15.3 Travel to and from site visits by council
15.4 members that are funded under paragraph
15.5 (b) are not meetings of the council for the
15.6 purpose of receiving information under
15.7 Minnesota Statutes, section 97A.056,
15.8 subdivision 5.

15.9 Subd. 7. **Availability of Appropriation**

15.10 Money appropriated in this section may
15.11 not be spent on activities unless they are
15.12 directly related to and necessary for a
15.13 specific appropriation and are specified in the
15.14 accomplishment plan. Money appropriated
15.15 in this section must not be spent on indirect
15.16 costs or other institutional overhead charges.

15.17 Unless otherwise provided, the amounts
15.18 in this section are available until June 30,
15.19 2013, when projects must be completed and
15.20 final accomplishments reported. If a project
15.21 receives federal funds, the time period
15.22 of the appropriation is extended to equal
15.23 the availability of federal funding. Funds
15.24 appropriated for fee title acquisition of land
15.25 may be used to restore and enhance land
15.26 acquired with the appropriation.

15.27 Subd. 8. **Accomplishment Plans**

15.28 It is a condition of acceptance of the
15.29 appropriations made by this section that the
15.30 agency or entity using the appropriation shall
15.31 submit to the council an accomplishment
15.32 plan and periodic accomplishment
15.33 reports in the form determined by the
15.34 Lessard-Sams Outdoor Heritage Council.
15.35 The accomplishment plan must account for

16.1 the use of the appropriation and outcomes
16.2 of the expenditure in measures of wetlands,
16.3 prairies, forests, and fish, game, and wildlife
16.4 habitat restored, protected, and enhanced.
16.5 The plan must include an evaluation of
16.6 results. None of the money provided in this
16.7 section may be expended unless the council
16.8 has approved the pertinent accomplishment
16.9 plan.

16.10 Subd. 9. **Project Requirements**

16.11 (a) As a condition of accepting an
16.12 appropriation in this section, any agency
16.13 or entity receiving an appropriation must
16.14 comply with this subdivision for any project
16.15 funded in whole or in part with funds from
16.16 the appropriation.

16.17 (b) To the extent possible, a person
16.18 conducting restoration with money
16.19 appropriated in this section must plant
16.20 vegetation or sow seed only of ecotypes
16.21 native to Minnesota, and preferably of the
16.22 local ecotype, using a high diversity of
16.23 species originating from as close to the
16.24 restoration site as possible, and protect
16.25 existing native prairies, grasslands, forests,
16.26 wetlands, and other aquatic systems from
16.27 genetic contamination.

16.28 (c) All conservation easements acquired
16.29 with money appropriated in this section
16.30 must: (1) be permanent; (2) specify the
16.31 parties to an easement; (3) specify all of
16.32 the provisions of an agreement that are
16.33 permanent; (4) specify the responsibilities
16.34 of the parties for habitat enhancement and
16.35 restoration and the associated costs of these

17.1 activities; (5) be sent to the office of the
17.2 Lessard-Sams Outdoor Heritage Council; (6)
17.3 include a long-term stewardship plan and
17.4 identify the sources and amount of funding
17.5 for monitoring and enforcing the easement
17.6 agreement; and (7) identify the parties
17.7 responsible for monitoring and enforcing the
17.8 easement agreement.

17.9 (d) For all restorations, a recipient must
17.10 prepare and retain an ecological restoration
17.11 and management plan that, to the degree
17.12 practicable, is consistent with the highest
17.13 quality conservation and ecological goals for
17.14 the restoration site. Consideration should
17.15 be given to soil, geology, topography, and
17.16 other relevant factors that would provide
17.17 the best chance for long-term success of the
17.18 restoration projects. The plan shall include
17.19 the proposed timetable for implementing
17.20 the restoration, including, but not limited
17.21 to, site preparation, establishment of
17.22 diverse plant species, maintenance, and
17.23 additional enhancement to establish the
17.24 restoration; identify long-term maintenance
17.25 and management needs of the restoration
17.26 and how the maintenance, management, and
17.27 enhancement will be financed; and use the
17.28 best available science to achieve the best
17.29 restoration.

17.30 (e) For new lands acquired, a recipient
17.31 must prepare a restoration and management
17.32 plan in compliance with paragraph (d),
17.33 including identification of sufficient funding
17.34 for implementation.

18.1 (f) To ensure public accountability for the
18.2 use of public funds, a recipient must provide
18.3 to the Lessard-Sams Outdoor Heritage
18.4 Council documentation of the selection
18.5 process used to identify parcels acquired
18.6 in fee or permanent conservation easement
18.7 and provide the council with documentation
18.8 of all related transaction costs, including,
18.9 but not limited to, appraisals, legal fees,
18.10 recording fees, commissions, other similar
18.11 costs, and donations. This information
18.12 must be provided for all parties involved
18.13 in the transaction. The recipient shall
18.14 also report to the Lessard-Sams Outdoor
18.15 Heritage Council any difference between the
18.16 acquisition amount paid to the seller and the
18.17 state-certified or state-reviewed appraisal, if
18.18 a state-certified or state-reviewed appraisal
18.19 was conducted. Acquisition data such
18.20 as appraisals may remain private during
18.21 negotiations but must ultimately be made
18.22 public according to Minnesota Statutes,
18.23 chapter 13.

18.24 (g) Except as otherwise provided in this
18.25 section, all restoration and enhancement
18.26 projects with money appropriated in this
18.27 section must be on land permanently
18.28 protected by a conservation easement or
18.29 public ownership.

18.30 (h) To the extent an appropriation is used to
18.31 acquire an interest in real property, a recipient
18.32 of an appropriation under this section must
18.33 provide to the Lessard-Sams Outdoor
18.34 Heritage Council and the commissioner
18.35 of management and budget an analysis of
18.36 increased operations and maintenance costs

19.1 likely to be incurred by public entities as
19.2 a result of the acquisition and of how these
19.3 costs are to be paid.

19.4 (i) A recipient of money from an
19.5 appropriation in this section must give
19.6 consideration to and make timely written
19.7 contact with the Minnesota Conservation
19.8 Corps or its successor for consideration of
19.9 possible use of their services to contract for
19.10 restoration and enhancement services. A
19.11 copy of the written contact must be filed with
19.12 the Lessard-Sams Outdoor Heritage Council
19.13 within 15 days of execution.

19.14 (j) A recipient of money from this section
19.15 must erect signage according to Laws 2009,
19.16 chapter 172, article 5, section 10.

19.17 **Subd. 10. Payment Conditions and Capital**
19.18 **Equipment Expenditures**

19.19 All agreements, grants, or contracts referred
19.20 to in this section must be administered on
19.21 a reimbursement basis unless otherwise
19.22 provided in this section. Notwithstanding
19.23 Minnesota Statutes, section 16A.41,
19.24 expenditures directly related to each
19.25 appropriation's purpose made on or after July
19.26 1, 2010, are eligible for reimbursement unless
19.27 otherwise provided in this section. Periodic
19.28 reimbursement must be made upon receiving
19.29 documentation that the deliverable items
19.30 articulated in the approved accomplishment
19.31 plan have been achieved, including partial
19.32 achievements as evidenced by approved
19.33 progress reports. Reasonable amounts may
19.34 be advanced to projects to accommodate
19.35 cash flow needs or to match federal share.
19.36 The advances must be approved as part of

20.1 the accomplishment plan. Capital equipment
20.2 expenditures for specific items in excess of
20.3 \$10,000 must be approved as part of the
20.4 accomplishment plan.

20.5 Subd. 11. **Purchase of Recycled and Recyclable**
20.6 **Materials**

20.7 A political subdivision, public or private
20.8 corporation, or other entity that receives an
20.9 appropriation in this section must use the
20.10 appropriation in compliance with Minnesota
20.11 Statutes, sections 16B.121, regarding
20.12 purchase of recycled, repairable, and durable
20.13 materials, and 16B.122, regarding purchase
20.14 and use of paper stock and printing.

20.15 Subd. 12. **Accessibility**

20.16 Structural and nonstructural facilities must
20.17 meet the design standards in the Americans
20.18 with Disabilities Act (ADA) accessibility
20.19 guidelines.

20.20 Subd. 13. **Land Acquisition Restrictions**

20.21 (a) An interest in real property, including, but
20.22 not limited to, an easement or fee title, that
20.23 is acquired with money appropriated under
20.24 this section must be used in perpetuity or for
20.25 the specific term of an easement interest for
20.26 the purpose for which the appropriation was
20.27 made.

20.28 (b) A recipient of funding who acquires
20.29 an interest in real property subject to this
20.30 subdivision may not alter the intended use
20.31 of the interest in real property or convey
20.32 any interest in the real property acquired
20.33 with the appropriation without the prior
20.34 review and approval of the Lessard-Sams
20.35 Outdoor Heritage Council or its successor.

21.1 The council shall establish procedures to
21.2 review requests from recipients to alter
21.3 the use of or convey an interest in real
21.4 property. These procedures shall allow
21.5 for the replacement of the interest in real
21.6 property with another interest in real property
21.7 meeting the following criteria: (1) the
21.8 interest is at least equal in fair market value,
21.9 as certified by the commissioner of natural
21.10 resources, to the interest being replaced; and
21.11 (2) the interest is in a reasonably equivalent
21.12 location and has a reasonably equivalent
21.13 useful conservation purpose compared to the
21.14 interest being replaced.

21.15 (c) A recipient of funding who acquires an
21.16 interest in real property under paragraph
21.17 (a) must separately record a notice of
21.18 funding restrictions in the appropriate local
21.19 government office where the conveyance
21.20 of the interest in real property is filed. The
21.21 notice of funding agreement must contain:
21.22 (1) a legal description of the interest in real
21.23 property covered by the funding agreement;
21.24 (2) a reference to the underlying funding
21.25 agreement; (3) a reference to this section; and
21.26 (4) the following statement: "This interest
21.27 in real property shall be administered in
21.28 accordance with the terms, conditions, and
21.29 purposes of the grant agreement controlling
21.30 the acquisition of the property. The interest
21.31 in real property, or any portion of the interest
21.32 in real property, shall not be sold, transferred,
21.33 pledged, or otherwise disposed of or further
21.34 encumbered without obtaining the prior
21.35 written approval of the Lessard-Sams
21.36 Outdoor Heritage Council or its successor.

22.1 The ownership of the interest in real property
22.2 shall transfer to the state if: (1) the holder of
22.3 the interest in real property fails to comply
22.4 with the terms and conditions of the grant
22.5 agreement or accomplishment plan; or
22.6 (2) restrictions are placed on the land that
22.7 preclude its use for the intended purpose as
22.8 specified in the appropriation."

22.9 Subd. 14. **Real Property Interest Report**

22.10 By December 1 each year, a recipient of
22.11 money appropriated under this section that
22.12 is used for the acquisition of an interest in
22.13 real property, including, but not limited to,
22.14 an easement or fee title, must submit annual
22.15 reports on the status of the real property to
22.16 the Lessard-Sams Outdoor Heritage Council
22.17 or its successor in a form determined by the
22.18 council. The responsibility for reporting
22.19 under this section may be transferred by
22.20 the recipient of the appropriation to another
22.21 person or entity that holds the interest in the
22.22 real property. To complete the transfer of
22.23 reporting responsibility, the recipient of the
22.24 appropriation must: (1) inform the person to
22.25 whom the responsibility is transferred of that
22.26 person's reporting responsibility; (2) inform
22.27 the person to whom the responsibility is
22.28 transferred of the property restrictions under
22.29 subdivision 13; (3) provide written notice
22.30 to the council of the transfer of reporting
22.31 responsibility, including contact information
22.32 for the person to whom the responsibility is
22.33 transferred; and (4) provide the Lessard-Sams
22.34 Outdoor Heritage Council or its successor
22.35 written documentation from the person or
22.36 entity holding the interest in real property

23.1 certifying its acceptance of all reporting
23.2 obligations and responsibilities previously
23.3 held by the recipient of the appropriation.
23.4 After the transfer, the person or entity that
23.5 holds the interest in the real property is
23.6 responsible for reporting requirements under
23.7 this section.

23.8 **ARTICLE 2**

23.9 **CLEAN WATER FUND**

23.10 Section 1. Minnesota Statutes 2008, section 473.1565, subdivision 2, is amended to
23.11 read:

23.12 Subd. 2. **Advisory committee.** (a) A Metropolitan Area Water Supply Advisory
23.13 Committee is established to assist the council in its planning activities in subdivision 1.
23.14 The advisory committee has the following membership:

23.15 (1) the commissioner of agriculture or the commissioner's designee;

23.16 (2) the commissioner of health or the commissioner's designee;

23.17 (3) the commissioner of natural resources or the commissioner's designee;

23.18 (4) the commissioner of the Pollution Control Agency or the commissioner's
23.19 designee;

23.20 (5) two officials of counties that are located in the metropolitan area, appointed by
23.21 the governor;

23.22 (6) five officials of noncounty local governmental units that are located in the
23.23 metropolitan area, appointed by the governor; and

23.24 (7) the chair of the Metropolitan Council or the chair's designee, who is chair of
23.25 the advisory committee.

23.26 A local government unit in each of the seven counties in the metropolitan area must
23.27 be represented in the seven appointments made under clauses (5) and (6).

23.28 (b) Members of the advisory committee appointed by the governor serve at the
23.29 pleasure of the governor. Members of the advisory committee serve without compensation
23.30 but may be reimbursed for their reasonable expenses as determined by the Metropolitan
23.31 Council. The advisory committee expires December 31, ~~2010~~ 2012.

23.32 (c) The council must consider the work and recommendations of the advisory
23.33 committee when the council is preparing its regional development framework.

23.34 Sec. 2. **APPLICATION.**

24.1 Section 1 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
24.2 Scott, and Washington.

24.3 **Sec. 3. CLEAN WATER FUND; 2009 APPROPRIATION ADJUSTMENTS.**

24.4 (a) Up to \$145,000 of the money appropriated in fiscal year 2011 to the Pollution
24.5 Control Agency in Laws 2009, chapter 172, article 2, section 4, paragraph (g), for best
24.6 management practices grants to treat or clean up contaminated sediments in stormwater
24.7 ponds may be used to complete the work required by the agency for the prevention of
24.8 water pollution from polycyclic aromatic hydrocarbons under Laws 2009, chapter 172,
24.9 article 2, section 28.

24.10 (b) The appropriations in fiscal years 2011 and 2012 to the Department of Natural
24.11 Resources for high-resolution digital elevation data in Laws 2009, chapter 172, article 2,
24.12 section 5, paragraph (d), are available until June 30, 2012.

24.13 **Sec. 4. CLEAN WATER FUND APPROPRIATIONS.**

24.14 Subdivision 1. **Pollution Control Agency.** \$615,000 in fiscal year 2011 is
24.15 appropriated from the clean water fund to the commissioner of the Pollution Control
24.16 Agency to continue rulemaking to establish water quality standards for total nitrogen and
24.17 nitrate nitrogen. This is a onetime appropriation.

24.18 Subd. 2. **Department of Natural Resources.** The \$5,000,000 appropriated in Laws
24.19 2009, chapter 172, article 2, section 4, paragraph (m), for activities relating to groundwater
24.20 protection or prevention of groundwater degradation is canceled and reappropriated to the
24.21 commissioner of natural resources for the following purposes:

24.22 (1) establish a groundwater monitoring network in the 11-county metropolitan area
24.23 that monitors non-stressed systems to provide information on aquifer characteristics and
24.24 natural water level trends; and

24.25 (2) develop an automated data system to capture groundwater level and water use
24.26 data to enhance the evaluation of water resource changes in aquifer systems that are
24.27 stressed by pumping of existing wells. This is a onetime appropriation and is available
24.28 until spent.

24.29 **Sec. 5. APPROPRIATION; WATER SUPPLY PLANNING ACTIVITIES.**

24.30 \$500,000 is appropriated in fiscal year 2011 from the clean water fund, pursuant to
24.31 Minnesota Statutes, section 114D.50, to the Metropolitan Council to fund Metropolitan

(1) provide for the electronic transfer of funds generated by electronic transactions, including by telephone;

(2) assign an identification number to an applicant who purchases a hunting or fishing license or recreational vehicle registration by electronic means, to serve as temporary authorization to engage in the activity requiring a license or registration until the license or registration is received or expires;

(3) charge and permit agents to charge a fee of individuals who make electronic transactions and transactions by telephone or Internet, including issuing fees and an additional transaction fee not to exceed \$3.50;

(4) charge and permit agents to charge a convenience fee not to exceed three percent of the cost of the license to individuals who use electronic bank cards for payment. An electronic licensing system agent charging a fee of individuals making an electronic bank card transaction in person must post a sign informing individuals of the fee. The sign must be near the point of payment, clearly visible, include the amount of the fee, and state: "License agents are allowed by state law to charge a fee not to exceed three percent of the cost of state licenses to persons who use electronic bank cards for payment. The fee is not required by state law.";

(5) establish, by written order, an electronic licensing system commission to be paid by revenues generated from all sales made through the electronic licensing system. The commissioner shall establish the commission in a manner that neither significantly overrecovers nor underrecovers costs involved in providing the electronic licensing system; and

(6) adopt rules to administer the provisions of this subdivision.

(b) The fees established under paragraph (a), clauses (3) and (4), and the commission established under paragraph (a), clause (5), are not subject to the rulemaking procedures of chapter 14 and section 14.386 does not apply.

(c) Money received from fees and commissions collected under this subdivision, including interest earned, is annually appropriated from the game and fish fund and the natural resources fund to the commissioner for the cost of electronic licensing.

Sec. 3. Minnesota Statutes 2008, section 84.0856, is amended to read:

84.0856 FLEET MANAGEMENT ACCOUNT.

The commissioner of natural resources may bill organizational units within the Department of Natural Resources and other governmental units, including tribal governments, for the costs of providing them with equipment. Costs billed may include acquisition, licensing, insurance, maintenance, repair, and other direct costs as determined

27.1 by the commissioner. Receipts and interest earned on the receipts shall be credited to a
27.2 special account in the state treasury and are appropriated to the commissioner to pay the
27.3 costs for which the billings were made.

27.4 Sec. 4. Minnesota Statutes 2008, section 84.0857, is amended to read:

27.5 **84.0857 FACILITIES MANAGEMENT ACCOUNT.**

27.6 (a) The commissioner of natural resources may bill organizational units within
27.7 the Department of Natural Resources and other governmental units, including tribal
27.8 governments, for the costs of providing them with building and infrastructure facilities.
27.9 Costs billed may include modifications and adaptations to allow for appropriate building
27.10 occupancy, building code compliance, insurance, utility services, maintenance, repair, and
27.11 other direct costs as determined by the commissioner. Receipts shall be credited to a
27.12 special account in the state treasury and are appropriated to the commissioner to pay the
27.13 costs for which the billings were made.

27.14 (b) Money deposited in the special account from the proceeds of a sale under section
27.15 94.16, subdivision 3, paragraph (b), is appropriated to the commissioner to acquire
27.16 facilities or renovate existing buildings for administrative use or to acquire land for,
27.17 design, and construct administrative buildings for the Department of Natural Resources.

27.18 Sec. 5. Minnesota Statutes 2009 Supplement, section 84.415, subdivision 6, is
27.19 amended to read:

27.20 Subd. 6. **Supplemental application fee and monitoring fee.** (a) In addition to the
27.21 application fee and utility crossing fees specified in Minnesota Rules, the commissioner of
27.22 natural resources shall assess the applicant for a utility license the following fees:

27.23 (1) a supplemental application fee of \$1,500 for a public water crossing license and a
27.24 supplemental application fee of ~~\$4,500~~ \$1,000 for a public lands crossing license, to cover
27.25 reasonable costs for reviewing the application and preparing the license; and

27.26 (2) a monitoring fee to cover the projected reasonable costs for monitoring the
27.27 construction of the utility line and preparing special terms and conditions of the license
27.28 to ensure proper construction. The commissioner must give the applicant an estimate of
27.29 the monitoring fee before the applicant submits the fee.

27.30 (b) The applicant shall pay fees under this subdivision to the commissioner of
27.31 natural resources. The commissioner shall not issue the license until the applicant has
27.32 paid all fees in full.

27.33 (c) Upon completion of construction of the improvement for which the license
27.34 or permit was issued, the commissioner shall refund the unobligated balance from the

28.1 monitoring fee revenue. The commissioner shall not return the application fees, even
28.2 if the application is withdrawn or denied.

28.3 Sec. 6. Minnesota Statutes 2008, section 84.777, subdivision 2, is amended to read:

28.4 Subd. 2. **Off-highway vehicle seasons seasonal restrictions.** (a) The commissioner
28.5 shall prescribe seasons for off-highway vehicle use on state forest lands. Except for
28.6 designated forest roads, a person must not operate an off-highway vehicle on state forest
28.7 lands: (1) outside of the seasons prescribed under this paragraph; or (2) during the firearms
28.8 deer hunting season in areas of the state where deer may be taken by rifle. This paragraph
28.9 does not apply to a person in possession of a valid deer hunting license operating an
28.10 off-highway vehicle before or after legal shooting hours or from 11:00 a.m. to 2:00 p.m.

28.11 (b) The commissioner may designate and post winter trails on state forest lands
28.12 for use by off-highway vehicles.

28.13 (c) For the purposes of this subdivision, "state forest lands" means forest lands under
28.14 the authority of the commissioner as defined in section 89.001, subdivision 13, and lands
28.15 managed by the commissioner under section 282.011.

28.16 Sec. 7. Minnesota Statutes 2009 Supplement, section 84.793, subdivision 1, is
28.17 amended to read:

28.18 Subdivision 1. **Prohibitions on youthful operators.** (a) ~~After January 1, 1995,~~ A
28.19 person less than 16 years of age operating an off-highway motorcycle on public lands
28.20 or waters must possess a valid off-highway motorcycle safety certificate issued by the
28.21 commissioner.

28.22 (b) Except for operation on public road rights-of-way that is permitted under section
28.23 84.795, subdivision 1, a driver's license issued by the state or another state is required to
28.24 operate an off-highway motorcycle along or on a public road right-of-way.

28.25 (c) A person under 12 years of age may not:

28.26 (1) make a direct crossing of a public road right-of-way;

28.27 (2) operate an off-highway motorcycle on a public road right-of-way in the state; or

28.28 (3) operate an off-highway motorcycle on public lands or waters unless accompanied
28.29 by a person 18 years of age or older or participating in an event for which the
28.30 commissioner has issued a special use permit.

28.31 (d) Except for public road rights-of-way of interstate highways, a person less than 16
28.32 years of age may make a direct crossing of a public road right-of-way of a trunk, county
28.33 state-aid, or county highway only if that person is accompanied by a person 18 years of
28.34 age or older who holds a valid driver's license.

(e) A person less than 16 years of age may operate an off-highway motorcycle on public road rights-of-way in accordance with section 84.795, subdivision 1, paragraph (a), only if that person is accompanied by a person 18 years of age or older who holds a valid driver's license.

(f) Notwithstanding paragraph (a), a nonresident less than 16 years of age may operate an off-highway motorcycle on public lands or waters if the nonresident youth has in possession evidence of completing an off-road safety course offered by the Motorcycle Safety Foundation or another state as provided in section 84.791, subdivision 4.

Sec. 8. Minnesota Statutes 2008, section 84.82, subdivision 3, is amended to read:

Subd. 3. **Fees for registration.** (a) The fee for registration of each snowmobile, other than those used for an agricultural purpose, as defined in section 84.92, subdivision 1c, or those registered by a dealer or manufacturer pursuant to clause (b) or (c) shall be as follows: \$45 for three years and \$4 for a duplicate or transfer.

(b) The total registration fee for all snowmobiles owned by a dealer and operated for demonstration or testing purposes shall be \$50 per year.

(c) The total registration fee for all snowmobiles owned by a manufacturer and operated for research, testing, experimentation, or demonstration purposes shall be \$150 per year. Dealer and manufacturer registrations are not transferable.

(d) The onetime fee for registration of an exempt snowmobile under subdivision 6a is \$6.

Sec. 9. Minnesota Statutes 2008, section 84.82, is amended by adding a subdivision to read:

Subd. 6a. **Exemption; collector unlimited snowmobile use.** Snowmobiles may be issued an exempt registration if the machine is at least 25 years old. Exempt registration is valid from the date of issuance until ownership of the snowmobile is transferred. Exempt registrations are not transferable.

Sec. 10. Minnesota Statutes 2008, section 84.92, subdivision 9, is amended to read:

Subd. 9. **Class 1 all-terrain vehicle.** "Class 1 all-terrain vehicle" means an all-terrain vehicle that has a total dry weight of less than ~~900~~ 1,000 pounds.

Sec. 11. Minnesota Statutes 2008, section 84.92, subdivision 10, is amended to read:

Subd. 10. **Class 2 all-terrain vehicle.** "Class 2 all-terrain vehicle" means an all-terrain vehicle that has a total dry weight of ~~900~~ 1,000 to ~~1,500~~ 1,800 pounds.

30.1 Sec. 12. Minnesota Statutes 2008, section 84.922, is amended by adding a subdivision
30.2 to read:

30.3 Subd. 2b. **Collector unlimited use; exempt registration.** All-terrain vehicles may
30.4 be issued an exempt registration if requested and the machine is at least 25 years old.
30.5 Exempt registration is valid from the date of issuance until ownership of the all-terrain
30.6 vehicle is transferred. Exempt registrations are not transferable.

30.7 Sec. 13. Minnesota Statutes 2008, section 84.922, subdivision 5, is amended to read:

30.8 Subd. 5. **Fees for registration.** (a) The fee for a three-year registration of
30.9 an all-terrain vehicle under this section, other than those registered by a dealer or
30.10 manufacturer under paragraph (b) or (c), is:

30.11 (1) for public use, \$45;

30.12 (2) for private use, \$6; and

30.13 (3) for a duplicate or transfer, \$4.

30.14 (b) The total registration fee for all-terrain vehicles owned by a dealer and operated
30.15 for demonstration or testing purposes is \$50 per year. Dealer registrations are not
30.16 transferable.

30.17 (c) The total registration fee for all-terrain vehicles owned by a manufacturer and
30.18 operated for research, testing, experimentation, or demonstration purposes is \$150 per
30.19 year. Manufacturer registrations are not transferable.

30.20 (d) The onetime fee for registration of an all-terrain vehicle under subdivision 2b
30.21 is \$6.

30.22 (e) The fees collected under this subdivision must be credited to the all-terrain
30.23 vehicle account.

30.24 Sec. 14. Minnesota Statutes 2008, section 84.925, subdivision 1, is amended to read:

30.25 Subdivision 1. **Program established.** (a) The commissioner shall establish a
30.26 comprehensive all-terrain vehicle environmental and safety education and training
30.27 program, including the preparation and dissemination of vehicle information and safety
30.28 advice to the public, the training of all-terrain vehicle operators, and the issuance of
30.29 all-terrain vehicle safety certificates to vehicle operators over the age of 12 years who
30.30 successfully complete the all-terrain vehicle environmental and safety education and
30.31 training course.

30.32 (b) For the purpose of administering the program and to defray a portion of the
30.33 expenses of training and certifying vehicle operators, the commissioner shall collect a fee
30.34 of \$15 from each person who receives the training. The commissioner shall collect a fee,

to include a \$1 issuing fee for licensing agents, for issuing a duplicate all-terrain vehicle safety certificate. The commissioner shall establish the fee for a duplicate all-terrain vehicle safety certificate that neither significantly overrecovers nor underrecovers costs, including overhead costs, involved in providing the service. Fee proceeds, except for the issuing fee for licensing agents under this subdivision, shall be deposited in the all-terrain vehicle account in the natural resources fund. In addition to the fee established by the commissioner, instructors may charge each person ~~the cost of~~ up to the established fee amount for class material materials and expenses.

(c) The commissioner shall cooperate with private organizations and associations, private and public corporations, and local governmental units in furtherance of the program established under this section. School districts may cooperate with the commissioner and volunteer instructors to provide space for the classroom portion of the training. The commissioner shall consult with the commissioner of public safety in regard to training program subject matter and performance testing that leads to the certification of vehicle operators. By June 30, 2003, the commissioner shall incorporate a riding component in the safety education and training program.

Sec. 15. Minnesota Statutes 2008, section 84.9256, subdivision 1, is amended to read:

Subdivision 1. **Prohibitions on youthful operators.** (a) Except for operation on public road rights-of-way that is permitted under section 84.928, a driver's license issued by the state or another state is required to operate an all-terrain vehicle along or on a public road right-of-way.

(b) A person under 12 years of age shall not:

(1) make a direct crossing of a public road right-of-way;

(2) operate an all-terrain vehicle on a public road right-of-way in the state; or

(3) operate an all-terrain vehicle on public lands or waters, except as provided in paragraph (f).

(c) Except for public road rights-of-way of interstate highways, a person 12 years of age but less than 16 years may make a direct crossing of a public road right-of-way of a trunk, county state-aid, or county highway or operate on public lands ~~and or~~ and or waters or state or grant-in-aid trails, only if that person possesses a valid all-terrain vehicle safety certificate issued by the commissioner and is accompanied ~~on another all-terrain vehicle~~ by a person 18 years of age or older who holds a valid driver's license.

(d) To be issued an all-terrain vehicle safety certificate, a person at least 12 years old, but less than 16 years old, must:

32.1 (1) successfully complete the safety education and training program under section
32.2 84.925, subdivision 1, including a riding component; and

32.3 (2) be able to properly reach and control the handle bars and reach the foot pegs
32.4 while sitting upright on the seat of the all-terrain vehicle.

32.5 (e) A person at least 11 years of age may take the safety education and training
32.6 program and may receive an all-terrain vehicle safety certificate under paragraph (d), but
32.7 the certificate is not valid until the person reaches age 12.

32.8 (f) A person at least ten years of age but under 12 years of age may operate an
32.9 all-terrain vehicle with an engine capacity up to 90cc on public lands or waters if
32.10 accompanied by a parent or legal guardian.

32.11 (g) A person under 15 years of age shall not operate a class 2 all-terrain vehicle.

32.12 (h) A person under the age of 16 may not operate an all-terrain vehicle on public
32.13 lands or waters or on state or grant-in-aid trails if the person cannot properly reach and
32.14 control the handle bars and reach the foot pegs while sitting upright on the seat of the
32.15 all-terrain vehicle.

32.16 (i) Notwithstanding paragraph (c), a nonresident at least 12 years old, but less than
32.17 16 years old, may make a direct crossing of a public road right-of-way of a trunk, county
32.18 state-aid, or county highway or operate an all-terrain vehicle on public lands or waters
32.19 or state or grant-in-aid trails if:

32.20 (1) the nonresident youth has in possession evidence of completing an all-terrain
32.21 safety course offered by the ATV Safety Institute or another state as provided in section
32.22 84.925, subdivision 3; and

32.23 (2) the nonresident youth is accompanied by a person 18 years of age or older who
32.24 holds a valid driver's license.

32.25 Sec. 16. Minnesota Statutes 2009 Supplement, section 84.9275, subdivision 1, is
32.26 amended to read:

32.27 Subdivision 1. **Pass required; fee.** (a) A nonresident may not operate an all-terrain
32.28 vehicle on a state or grant-in-aid all-terrain vehicle trail unless the operator carries a valid
32.29 nonresident all-terrain vehicle state trail pass in immediate possession. The pass must
32.30 be available for inspection by a peace officer, a conservation officer, or an employee
32.31 designated under section 84.0835.

32.32 (b) The commissioner of natural resources shall issue a pass upon application and
32.33 payment of a \$20 fee. The pass is valid from January 1 through December 31. Fees
32.34 collected under this section, except for the issuing fee for licensing agents, shall be
32.35 deposited in the state treasury and credited to the all-terrain vehicle account in the natural

resources fund and, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, must be used for grants-in-aid to counties and municipalities for all-terrain vehicle organizations to construct and maintain all-terrain vehicle trails and use areas.

(c) A nonresident all-terrain vehicle state trail pass is not required for:

(1) an all-terrain vehicle that is owned and used by the United States, another state, or a political subdivision thereof that is exempt from registration under section 84.922, subdivision 1a; ~~or~~

(2) a person operating an all-terrain vehicle only on the portion of a trail that is owned by the person or the person's spouse, child, or parent; or

(3) a nonresident operating an all-terrain vehicle that is registered according to section 84.922.

Sec. 17. Minnesota Statutes 2009 Supplement, section 84.928, subdivision 1, is amended to read:

Subdivision 1. **Operation on roads and rights-of-way.** (a) Unless otherwise allowed in sections 84.92 to 84.928, a person shall not operate an all-terrain vehicle in this state along or on the roadway, shoulder, or inside bank or slope of a public road right-of-way of a trunk, county state-aid, or county highway.

(b) A person may operate a class 1 all-terrain vehicle in the ditch or the outside bank or slope of a trunk, county state-aid, or county highway unless prohibited under paragraph (d) or (f).

(c) A person may operate a class 2 all-terrain vehicle within the public road right-of-way of a county state-aid or county highway on the extreme right-hand side of the road and left turns may be made from any part of the road if it is safe to do so under the prevailing conditions, unless prohibited under paragraph (d) or (f). A person may operate a class 2 all-terrain vehicle on the bank or ditch of a public road right-of-way on a designated class 2 all-terrain vehicle trail.

(d) A road authority as defined under section 160.02, subdivision 25, may after a public hearing restrict the use of all-terrain vehicles in the public road right-of-way under its jurisdiction.

(e) The restrictions in paragraphs (a), (d), (h), (i), and (j) do not apply to the operation of an all-terrain vehicle on the shoulder, inside bank or slope, ditch, or outside bank or slope of a trunk, interstate, county state-aid, or county highway;

(1) that is part of a funded grant-in-aid trail; or

(2) when the all-terrain vehicle is:

34.1 ~~(1)~~ owned by or operated under contract with a publicly or privately owned utility
34.2 or pipeline company; and
34.3 ~~(2)~~ used for work on utilities or pipelines.

34.4 (f) The commissioner may limit the use of a right-of-way for a period of time if the
34.5 commissioner determines that use of the right-of-way causes:

34.6 (1) degradation of vegetation on adjacent public property;

34.7 (2) siltation of waters of the state;

34.8 (3) impairment or enhancement to the act of taking game; or

34.9 (4) a threat to safety of the right-of-way users or to individuals on adjacent public
34.10 property.

34.11 The commissioner must notify the road authority as soon as it is known that a closure
34.12 will be ordered. The notice must state the reasons and duration of the closure.

34.13 (g) A person may operate an all-terrain vehicle registered for private use and used
34.14 for agricultural purposes on a public road right-of-way of a trunk, county state-aid, or
34.15 county highway in this state if the all-terrain vehicle is operated on the extreme right-hand
34.16 side of the road, and left turns may be made from any part of the road if it is safe to do so
34.17 under the prevailing conditions.

34.18 (h) A person shall not operate an all-terrain vehicle within the public road
34.19 right-of-way of a trunk, county state-aid, or county highway from April 1 to August 1 in
34.20 the agricultural zone unless the vehicle is being used exclusively as transportation to and
34.21 from work on agricultural lands. This paragraph does not apply to an agent or employee
34.22 of a road authority, as defined in section 160.02, subdivision 25, or the Department of
34.23 Natural Resources when performing or exercising official duties or powers.

34.24 (i) A person shall not operate an all-terrain vehicle within the public road
34.25 right-of-way of a trunk, county state-aid, or county highway between the hours of one-half
34.26 hour after sunset to one-half hour before sunrise, except on the right-hand side of the
34.27 right-of-way and in the same direction as the highway traffic on the nearest lane of the
34.28 adjacent roadway.

34.29 (j) A person shall not operate an all-terrain vehicle at any time within the
34.30 right-of-way of an interstate highway or freeway within this state.

34.31 Sec. 18. Minnesota Statutes 2008, section 84.928, subdivision 5, is amended to read:

34.32 Subd. 5. **Organized contests, use of highways and public lands and waters.** (a)

34.33 Nothing in this section or chapter 169 prohibits the use of all-terrain vehicles within the
34.34 right-of-way of a state trunk or county state-aid highway or upon public lands or waters
34.35 under the jurisdiction of the commissioner of natural resources, in an organized contest or

event, subject to the consent of the official or board having jurisdiction over the highway or public lands or waters.

(b) In permitting the contest or event, the official or board having jurisdiction may prescribe restrictions or conditions as they may deem advisable.

(c) Notwithstanding section 84.9256, subdivision 1, paragraph (b), a person under 12 years of age may operate an all-terrain vehicle in an organized contest on public lands or waters, if the all-terrain vehicle has an engine capacity of 90cc or less, the person complies with section 84.9256, subdivision 1, paragraph (h), and the person is supervised by a person 18 years of age or older.

Sec. 19. Minnesota Statutes 2009 Supplement, section 85.015, subdivision 13, is amended to read:

Subd. 13. **Arrowhead Region Trails, in Cook, Lake, St. Louis, Pine, Carlton, Koochiching, and Itasca Counties.** (a)(1) The Taconite Trail shall originate at Ely in St. Louis County and extend southwesterly to Tower in St. Louis County, thence westerly to McCarthy Beach State Park in St. Louis County, thence southwesterly to Grand Rapids in Itasca County and there terminate;

(2) The C. J. Ramstad/Northshore Trail shall originate in Duluth in St. Louis County and extend northeasterly to Two Harbors in Lake County, thence northeasterly to Grand Marais in Cook County, thence northeasterly to the international boundary in the vicinity of the north shore of Lake Superior, and there terminate;

(3) The Grand Marais to International Falls Trail shall originate in Grand Marais in Cook County and extend northwesterly, outside of the Boundary Waters Canoe Area, to Ely in St. Louis County, thence southwesterly along the route of the Taconite Trail to Tower in St. Louis County, thence northwesterly through the Pelican Lake area in St. Louis County to International Falls in Koochiching County, and there terminate;

(4) The Becky Lourey Trail shall originate in Duluth in St. Louis County and extend southerly to St. Croix State Forest in Pine County.

(b) The trails shall be developed primarily for riding and hiking.

(c) In addition to the authority granted in subdivision 1, lands and interests in lands for the Arrowhead Region trails may be acquired by eminent domain. Before acquiring any land or interest in land by eminent domain the commissioner of administration shall obtain the approval of the governor. The governor shall consult with the Legislative Advisory Commission before granting approval. Recommendations of the Legislative Advisory Commission shall be advisory only. Failure or refusal of the commission to make a recommendation shall be deemed a negative recommendation.

Sec. 20. Minnesota Statutes 2008, section 85.015, subdivision 14, is amended to read:

Subd. 14. **Willard Munger Trail System, Chisago, Ramsey, Pine, St. Louis, Carlton, and Washington Counties.** (a) The trail shall consist of six segments. One segment shall be known as the Gateway Trail and shall originate at the State Capitol and extend northerly and northeasterly to William O'Brien State Park, thence northerly to Taylors Falls in Chisago County. ~~One segment shall be known as the Boundary Trail and shall originate in Chisago County and extend into Duluth in St. Louis County.~~ One segment shall be known as the Browns Creek Trail and shall originate at Duluth Junction and extend into Stillwater in Washington County. One segment shall be known as the Munger Trail and shall originate at Hinckley in Pine County and extend through Moose Lake in Carlton County to Duluth in St. Louis County. One segment shall be known as the Alex Laveau Trail and shall originate in Carlton County at Carlton and extend through Wrenshall to the Minnesota-Wisconsin border. One segment shall be established that extends the trail to include the cities of Proctor, Duluth, and Hermantown in St. Louis County.

(b) The Gateway and Browns Creek Trails shall be developed primarily for hiking and nonmotorized riding and the remaining trails shall be developed primarily for riding and hiking.

(c) In addition to the authority granted in subdivision 1, lands and interests in lands for the Gateway and Browns Creek Trails may be acquired by eminent domain.

Sec. 21. Minnesota Statutes 2008, section 85.22, subdivision 5, is amended to read:

Subd. 5. **Exemption.** Purchases for resale or rental made from the state parks working capital ~~fund~~ and account are exempt from competitive bidding, notwithstanding chapter 16C.

Sec. 22. Minnesota Statutes 2008, section 85.32, subdivision 1, is amended to read:

Subdivision 1. **Areas marked.** The commissioner of natural resources is authorized in cooperation with local units of government and private individuals and groups when feasible to mark ~~canoe and boating routes~~ state water trails on the Little Fork, Big Fork, Minnesota, St. Croix, Snake, Mississippi, Red Lake, Cannon, Straight, Des Moines, Crow Wing, St. Louis, Pine, Rum, Kettle, Cloquet, Root, Zumbro, Pomme de Terre within Swift County, Watonwan, Cottonwood, Whitewater, Chippewa from Benson in Swift County to Montevideo in Chippewa County, Long Prairie, Red River of the North, Sauk, Otter Tail, Redwood, Blue Earth, and Crow Rivers which have historic and scenic values and to mark appropriately points of interest, portages, camp sites, and all dams,

37.1 rapids, waterfalls, whirlpools, and other serious hazards which are dangerous to canoe,
37.2 kayak, and watercraft travelers.

37.3 Sec. 23. Minnesota Statutes 2008, section 85.41, subdivision 3, is amended to read:

37.4 Subd. 3. **Exemptions.** (a) Participants in cross-country ski races ~~and official school~~
37.5 ~~activities~~ and residents of a state or local government operated correctional facility are
37.6 exempt from the pass requirement in subdivision 1 if a special use permit has been
37.7 obtained by the organizers of the event or those in an official capacity in advance from the
37.8 agency with jurisdiction over the cross-country ski trail. Permits shall require that permit
37.9 holders return the trail and any associated facility to its original condition if any damage
37.10 is done by the permittee. Limited permits for special events may be issued and shall
37.11 require the removal of any trail markers, banners, and other material used in connection
37.12 with the special event.

37.13 (b) Unless otherwise exempted under paragraph (a), students, teachers, and
37.14 supervising adults engaged in school-sanctioned activities or youth activities sponsored
37.15 by a nonprofit organization are exempt from the pass requirements in subdivision 1.
37.16 Prior to the activity, the organizer of the activity or a representative from the school or
37.17 organization shall notify the agency with jurisdiction over the cross-country ski trail of
37.18 the date and time of the activity.

37.19 (c) A resident that is in the armed forces of the United States, stationed outside of
37.20 the state, and in the state on leave is exempt from the pass requirement in subdivision 1 if
37.21 the resident possesses official military leave papers.

37.22 (d) A resident who has served at any time during the preceding 24 months in federal
37.23 active service, as defined in section 190.05, subdivision 5c, outside the United States as
37.24 a member of the National Guard, or as a reserve component or active duty member of
37.25 the United States armed forces and has been discharged from active service is exempt
37.26 from the pass requirement in subdivision 1 if the resident possesses official military
37.27 discharge papers.

37.28 Sec. 24. Minnesota Statutes 2008, section 85.42, is amended to read:

37.29 **85.42 USER FEE; VALIDITY.**

37.30 (a) The fee for an annual cross-country ski pass is ~~\$14~~ \$19 for an individual age 16
37.31 and over. The fee for a three-year pass is ~~\$39~~ \$54 for an individual age 16 and over. This
37.32 fee shall be collected at the time the pass is purchased. Three-year passes are valid for
37.33 three years beginning the previous July 1. Annual passes are valid for one year beginning
37.34 the previous July 1.

(b) The cost for a daily cross-country skier pass is ~~\$4~~ \$5 for an individual age 16 and over. This fee shall be collected at the time the pass is purchased. The daily pass is valid only for the date designated on the pass form.

(c) A pass must be signed by the skier across the front of the pass to be valid and becomes nontransferable on signing.

Sec. 25. Minnesota Statutes 2008, section 85.43, is amended to read:

85.43 DISPOSITION OF RECEIPTS; PURPOSE.

Fees from cross-country ski passes shall be deposited in the state treasury and credited to a cross-country ski account in the natural resources fund and, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, are appropriated to the commissioner of natural resources for the following purposes:

(1) grants-in-aid for cross-country ski trails sponsored by to:

(i) local units of government counties and municipalities for construction and maintenance of cross-country ski trails; and

(ii) special park districts as provided in section 85.44 for construction and maintenance of cross-country ski trails; and

(2) development and maintenance of state cross-country ski trails.

Sec. 26. Minnesota Statutes 2008, section 85.46, as amended by Laws 2009, chapter 37, article 1, sections 22 to 24, is amended to read:

85.46 HORSE ~~TRAIL~~ PASS.

Subdivision 1. **Pass in possession.** (a) Except as provided in paragraph (b), while riding, leading, or driving a horse ~~on horse trails and associated day use areas on state trails, in state parks, in state recreation areas, and in state forests,~~ on lands administered by the commissioner, a person 16 years of age or over shall carry in immediate possession a valid horse ~~trail~~ pass. The pass must be available for inspection by a peace officer, a conservation officer, or an employee designated under section 84.0835.

(b) A valid horse ~~trail~~ pass is not required under this section for a person riding, leading, or driving a horse ~~only on the portion of a horse trail property~~ that is owned by the person or the person's spouse, child, parent, or guardian.

Subd. 2. **License agents.** (a) The commissioner of natural resources may appoint agents to issue and sell horse ~~trail~~ passes. The commissioner may revoke the appointment of an agent at any time.

(b) The commissioner may adopt additional rules as provided in section 97A.485, subdivision 11. An agent shall observe all rules adopted by the commissioner for the accounting and handling of passes according to section 97A.485, subdivision 11.

(c) An agent must promptly deposit and remit all money received from the sale of passes, except issuing fees, to the commissioner.

Subd. 3. **Issuance.** The commissioner of natural resources and agents shall issue and sell horse ~~trail~~ passes. The pass shall include the applicant's signature and other information deemed necessary by the commissioner. To be valid, a daily or annual pass must be signed by the person riding, leading, or driving the horse, and a commercial annual pass must be signed by the owner of the commercial ~~trail~~ riding facility.

Subd. 4. **Pass fees.** (a) The fee for an annual horse ~~trail~~ pass is \$20 for an individual 16 years of age and over. The fee shall be collected at the time the pass is purchased. Annual passes are valid for one year beginning January 1 and ending December 31.

(b) The fee for a daily horse ~~trail~~ pass is \$4 for an individual 16 years of age and over. The fee shall be collected at the time the pass is purchased. The daily pass is valid only for the date designated on the pass form.

(c) The fee for a commercial annual horse ~~trail~~ pass is \$200 and includes issuance of 15 passes. Additional or individual commercial annual horse ~~trail~~ passes may be purchased by the commercial ~~trail~~ riding facility owner at a fee of \$20 each. Commercial annual horse ~~trail~~ passes are valid for one year beginning January 1 and ending December 31 and may be affixed to the horse tack, saddle, or person. Commercial annual horse ~~trail~~ passes are not transferable to another commercial ~~trail~~ riding facility. For the purposes of this section, a "commercial ~~trail~~ riding facility" is an operation where horses are used for riding instruction or other equestrian activities for hire or use by others.

Subd. 5. **Issuing fee.** In addition to the fee for a horse ~~trail~~ pass, an issuing fee of \$1 per pass shall be charged. The issuing fee shall be retained by the seller of the pass. Issuing fees for passes sold by the commissioner of natural resources shall be deposited in the state treasury and credited to the horse ~~trail~~ pass account in the natural resources fund and are appropriated to the commissioner for the operation of the electronic licensing system. A pass shall indicate the amount of the fee that is retained by the seller.

Subd. 6. **Disposition of receipts.** Fees collected under this section, except for the issuing fee, shall be deposited in the state treasury and credited to the horse ~~trail~~ pass account in the natural resources fund. Except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, the fees are appropriated to the commissioner of natural resources for trail acquisition, trail and facility development, and maintenance, enforcement, and rehabilitation of horse trails or

trails authorized for horse use, whether for riding, leading, or driving, on ~~state trails and in state parks, state recreation areas, and state forests~~ land administered by the commissioner.

Subd. 7. **Duplicate horse trail passes.** The commissioner of natural resources and agents shall issue a duplicate pass to a person or commercial ~~trail~~ riding facility owner whose pass is lost or destroyed using the process established under section 97A.405, subdivision 3, and rules adopted thereunder. The fee for a duplicate horse ~~trail~~ pass is \$2, with an issuing fee of 50 cents.

Sec. 27. Minnesota Statutes 2009 Supplement, section 86A.09, subdivision 1, is amended to read:

Subdivision 1. **Master plan required.** No construction of new facilities or other development of an authorized unit, other than repairs and maintenance, shall commence until the managing agency has prepared and submitted to the commissioner of natural resources and the commissioner has reviewed, pursuant to this section, a master plan for administration of the unit in conformity with this section. No master plan is required for wildlife management areas that do not have resident managers, for scientific and natural areas, for water access sites, for aquatic management areas, for rest areas, or for boater waysides.

Sec. 28. Minnesota Statutes 2008, section 88.17, subdivision 1, is amended to read:

Subdivision 1. **Permit Permission required.** (a) ~~A permit Permission~~ to start a fire to burn vegetative materials and other materials allowed by Minnesota Statutes or official state rules and regulations may be given by the commissioner or the commissioner's agent. This permission shall be in the form of:

(1) a written permit issued by a forest officer, fire warden, or other person authorized by the commissioner; ~~or~~

(2) an electronic permit issued by the commissioner, an agent authorized by the commissioner, or an Internet site authorized by the commissioner; or

(3) a general permit adopted by the county board of commissioners according to paragraph (c).

(b) Written and electronic burning permits shall set the time and conditions by which the fire may be started and burned. The permit shall also specifically list the materials that may be burned. The permittee must have the permit on their person and shall produce the permit for inspection when requested to do so by a forest officer, conservation officer, or other peace officer. The permittee shall remain with the fire at all times and before leaving the site shall completely extinguish the fire. A person shall not start or cause a

fire to be started on any land that is not owned or under their legal control without the written permission of the owner, lessee, or an agent of the owner or lessee of the land. Violating or exceeding the permit conditions shall constitute a misdemeanor and shall be cause for the permit to be revoked.

(c) A general burning permit may be adopted by the county board of commissioners in counties that are determined by the commissioner either to not be wildfire areas as defined in section 88.01, subdivision 6, or to otherwise have low potential for damage to life and property from wildfire. The commissioner shall consider the history of and potential for wildfire; the distribution of trees, brush, grasslands, and other vegetative material; and the distribution of property subject to damage from escaped fires. Upon a determination by the commissioner and adoption by a vote of the county board, permission for open burning is extended to all residents in the county without the need for individual written or electronic permits under this subdivision, provided burning conforms to all other provisions of this chapter, including those related to responsibility to control and extinguish fires, no burning of prohibited materials, and liability for damages caused by violations of this chapter.

(d) Upon adoption of a general burning permit, a county must establish specific regulations by ordinance, to include at a minimum the time when and conditions under which fires may be started and burned. No ordinance may be less restrictive than state law.

(e) At any time when the commissioner or the county board determines that a general burning permit is no longer in the public interest, the general permit may be canceled by the commissioner or the county board.

Sec. 29. Minnesota Statutes 2008, section 88.17, subdivision 3, is amended to read:

Subd. 3. **Special permits.** The following special permits are required at all times, including when the ground is snow-covered:

(a) **Fire training.** A permit to start a fire for the instruction and training of firefighters, including liquid fuels training, may be given by the commissioner or agent of the commissioner. Except for owners or operators conducting fire training in specialized industrial settings pursuant to applicable federal, state, or local standards, owners or operators conducting open burning for the purpose of instruction and training of firefighters with regard to structures must follow the techniques described in a document entitled: Structural Burn Training Procedures for the Minnesota Technical College System.

(b) **Permanent tree and brush open burning sites.** A permit for the operation of a permanent tree and brush burning site may be given by the commissioner or agent of the commissioner. Applicants for a permanent open burning site permit shall submit a

42.1 complete application on a form provided by the commissioner. Existing permanent tree
42.2 and brush open burning sites must submit for a permit within 90 days of the passage of
42.3 this statute for a burning permit. New site applications must be submitted at least 90
42.4 days before the date of the proposed operation of the permanent open burning site. The
42.5 application must be submitted to the commissioner and must contain:

42.6 (1) the name, address, and telephone number of all owners of the site proposed for
42.7 use as the permanent open burning site;

42.8 (2) if the operator for the proposed permanent open burning site is different from the
42.9 owner, the name, address, and telephone number of the operator;

42.10 (3) a general description of the materials to be burned, including the source and
42.11 estimated quantity, dimensions of the site and burn pile areas, hours and dates of operation,
42.12 and provisions for smoke management; and

42.13 (4) a topographic or similarly detailed map of the site and surrounding area within
42.14 a one mile circumference showing all structures that might be affected by the operation
42.15 of the site.

42.16 Only trees, tree trimmings, or brush that cannot be disposed of by an alternative
42.17 method such as chipping, composting, or other method shall be permitted to be burned
42.18 at a permanent open burning site. A permanent tree and brush open burning site must
42.19 be located and operated so as not to create a nuisance or endanger water quality. The
42.20 commissioner shall revoke the permit or order actions to mitigate threats to public health,
42.21 safety, and the environment in the event that permit conditions are violated.

42.22 Sec. 30. Minnesota Statutes 2008, section 88.79, subdivision 2, is amended to read:

42.23 Subd. 2. **Charge for service; receipts to special revenue fund.** Notwithstanding
42.24 section 16A.1283, the commissioner of natural resources may ~~charge the owner,~~ by
42.25 written order published in the State Register, establish fees the commissioner determines
42.26 to be fair and reasonable that are charged to owners receiving such services ~~such sums~~
42.27 as the commissioner shall determine to be fair and reasonable under subdivision 1. The
42.28 charges must account for differences in the value of timber and other benefits. The receipts
42.29 from ~~such~~ the services shall be credited to the special revenue fund and are annually
42.30 appropriated to the commissioner for the purposes specified in subdivision 1.

42.31 Sec. 31. Minnesota Statutes 2008, section 90.041, is amended by adding a subdivision
42.32 to read:

42.33 Subd. 9. **Reoffering unsold timber.** To maintain and enhance forest ecosystems on
42.34 state forest lands, the commissioner may reoffer timber tracts remaining unsold under the

43.1 provisions of section 90.101 below appraised value at public auction with the required
43.2 30-day notice under section 90.101, subdivision 2.

43.3 Sec. 32. Minnesota Statutes 2008, section 90.121, is amended to read:

43.4 **90.121 INTERMEDIATE AUCTION SALES; MAXIMUM LOTS OF 3,000**
43.5 **CORDS.**

43.6 (a) The commissioner may sell the timber on any tract of state land in lots not
43.7 exceeding 3,000 cords in volume, in the same manner as timber sold at public auction
43.8 under section 90.101, and related laws, subject to the following special exceptions and
43.9 limitations:

43.10 (1) the commissioner shall offer all tracts authorized for sale by this section
43.11 separately from the sale of tracts of state timber made pursuant to section 90.101;

43.12 (2) no bidder may be awarded more than 25 percent of the total tracts offered at the
43.13 first round of bidding unless fewer than four tracts are offered, in which case not more
43.14 than one tract shall be awarded to one bidder. Any tract not sold at public auction may be
43.15 offered for private sale as authorized by section 90.101, subdivision 1, to persons eligible
43.16 under this section at the appraised value; and

43.17 (3) no sale may be made to a person having more than ~~20~~ 30 employees. For the
43.18 purposes of this clause, "employee" means an individual working for salary or wages
43.19 on a full-time or part-time basis.

43.20 (b) The auction sale procedure set forth in this section constitutes an additional
43.21 alternative timber sale procedure available to the commissioner and is not intended to
43.22 replace other authority possessed by the commissioner to sell timber in lots of 3,000
43.23 cords or less.

43.24 (c) Another bidder or the commissioner may request that the number of employees a
43.25 bidder has pursuant to paragraph (a), clause (3), be confirmed if there is evidence that the
43.26 bidder may be ineligible due to exceeding the employee threshold. The commissioner
43.27 shall request information from the commissioner of labor and industry including the
43.28 premiums paid by the bidder in question for workers' compensation insurance coverage
43.29 for all employees of the bidder. The commissioner shall review the information submitted
43.30 by the commissioner of labor and industry and make a determination based on the
43.31 information as to whether the bidder is eligible.

43.32 Sec. 33. Minnesota Statutes 2008, section 90.14, is amended to read:

43.33 **90.14 AUCTION SALE PROCEDURE.**

44.1 (a) All state timber shall be offered and sold by the same unit of measurement as it
44.2 was appraised. No tract shall be sold to any person other than the purchaser in whose name
44.3 the bid was made. The commissioner may refuse to approve any and all bids received and
44.4 cancel a sale of state timber for good and sufficient reasons.

44.5 (b) The purchaser at any sale of timber shall, immediately upon the approval of the
44.6 bid, or, if unsold at public auction, at the time of purchase at a subsequent sale under
44.7 section 90.101, subdivision 1, pay to the commissioner a down payment of 15 percent
44.8 of the appraised value. In case any purchaser fails to make such payment, the purchaser
44.9 shall be liable therefor to the state in a civil action, and the commissioner may reoffer the
44.10 timber for sale as though no bid or sale under section 90.101, subdivision 1, therefor
44.11 had been made.

44.12 (c) In lieu of the scaling of state timber required by this chapter, a purchaser of
44.13 state timber may, at the time of payment by the purchaser to the commissioner of 15
44.14 percent of the appraised value, elect in writing on a form prescribed by the attorney
44.15 general to purchase a permit based solely on the appraiser's estimate of the volume of
44.16 timber described in the permit, provided that the commissioner has expressly designated
44.17 the availability of such option for that tract on the list of tracts available for sale as
44.18 required under section 90.101. A purchaser who elects in writing on a form prescribed
44.19 by the attorney general to purchase a permit based solely on the appraiser's estimate of
44.20 the volume of timber described on the permit does not have recourse to the provisions
44.21 of section 90.281.

44.22 (d) In the case of a public auction sale conducted by a sealed bid process, tracts shall
44.23 be awarded to the high bidder, who shall pay to the commissioner a down payment of 15
44.24 percent of the appraised value ~~within ten business days of receiving a written award~~
44.25 notice that must be received or postmarked within 14 days of the date of the sealed bid
44.26 opening. If a purchaser fails to make the down payment, the purchaser is liable for the
44.27 down payment to the state and the commissioner may offer the timber for sale to the next
44.28 highest bidder as though no higher bid had been made.

44.29 (e) Except as otherwise provided by law, at the time the purchaser signs a permit
44.30 issued under section 90.151, the commissioner shall require the purchaser shall to make
44.31 a bid guarantee payment to the commissioner in an amount equal to 15 percent of the
44.32 total purchase price of the permit less the down payment amount required by paragraph
44.33 (b) for any bid increase in excess of \$5,000 of the appraised value. If ~~the~~ a required bid
44.34 guarantee payment is not submitted with the signed permit, no harvesting may occur, the
44.35 permit cancels, and the down payment for timber forfeits to the state. The bid guarantee

45.1 payment forfeits to the state if the purchaser and successors in interest fail to execute
45.2 an effective permit.

45.3 Sec. 34. Minnesota Statutes 2008, section 97B.665, subdivision 2, is amended to read:

45.4 Subd. 2. **Petition to district court.** If a beaver dam causes a threat to personal
45.5 safety or a serious threat to damage property, ~~and a person cannot obtain consent under~~
45.6 ~~subdivision 1,~~ a person may petition the district court for relief. The court may order the
45.7 ~~commissioner~~ owners of private property where beaver dams are located to take action
45.8 to reduce the threat. A permit is not required for an action ordered by the court. The
45.9 action may include destruction or alteration of beaver dams and removal of beaver. This
45.10 subdivision does not apply to state parks, state game refuges, and federal game refuges.

45.11 Sec. 35. Minnesota Statutes 2008, section 103A.305, is amended to read:

45.12 **103A.305 JURISDICTION.**

45.13 Sections 103A.301 to 103A.341 apply if the decision of an agency in a proceeding
45.14 involves a question of water policy in one or more of the areas of water conservation, water
45.15 pollution, preservation and management of wildlife, drainage, soil conservation, public
45.16 recreation, forest management, and municipal planning under section 97A.135; 103A.411;
45.17 103E.011; 103E.015; 103G.245; 103G.261; 103G.271; 103G.275; 103G.281; ~~103G.295;~~
45.18 ~~subdivisions 1 and 2;~~ 103G.287; 103G.297 to 103G.311; 103G.315, subdivisions 1, 10,
45.19 11, and 12; 103G.401; 103G.405; 103I.681, subdivision 1; 115.04; or 115.05.

45.20 Sec. 36. Minnesota Statutes 2009 Supplement, section 103G.201, is amended to read:

45.21 **103G.201 PUBLIC WATERS INVENTORY.**

45.22 (a) The commissioner shall maintain a public waters inventory map of each county
45.23 that shows the waters of this state that are designated as public waters under the public
45.24 waters inventory and classification procedures prescribed under Laws 1979, chapter
45.25 199, and shall provide access to a copy of the maps ~~and lists~~. As county public waters
45.26 inventory maps ~~and lists~~ are revised according to this section, the commissioner shall send
45.27 a notification or a copy of the maps ~~and lists~~ to the auditor of each affected county.

45.28 (b) The commissioner is authorized to revise the ~~list~~ map of public waters established
45.29 under Laws 1979, chapter 199, to reclassify those types 3, 4, and 5 wetlands previously
45.30 identified as public waters wetlands under Laws 1979, chapter 199, as public waters or as
45.31 wetlands under section 103G.005, subdivision 19. The commissioner may only reclassify
45.32 public waters wetlands as public waters if:

(1) they are assigned a shoreland management classification by the commissioner under sections 103F.201 to 103F.221;

(2) they are classified as lacustrine wetlands or deepwater habitats according to Classification of Wetlands and Deepwater Habitats of the United States (Cowardin, et al., 1979 edition); or

(3) the state or federal government has become titleholder to any of the beds or shores of the public waters wetlands, subsequent to the preparation of the public waters inventory map filed with the auditor of the county, pursuant to paragraph (a), and the responsible state or federal agency declares that the water is necessary for the purposes of the public ownership.

(c) The commissioner must provide notice of the reclassification to the local government unit, the county board, the watershed district, if one exists for the area, and the soil and water conservation district. Within 60 days of receiving notice from the commissioner, a party required to receive the notice may provide a resolution stating objections to the reclassification. If the commissioner receives an objection from a party required to receive the notice, the reclassification is not effective. If the commissioner does not receive an objection from a party required to receive the notice, the reclassification of a wetland under paragraph (b) is effective 60 days after the notice is received by all of the parties.

(d) The commissioner shall give priority to the reclassification of public waters wetlands that are or have the potential to be affected by public works projects.

(e) The commissioner may revise the public waters inventory map ~~and list~~ of each county:

(1) to reflect the changes authorized in paragraph (b); and

(2) as needed, to:

(i) correct errors in the original inventory;

(ii) add or subtract trout stream tributaries within sections that contain a designated trout stream following written notice to the landowner;

(iii) add depleted quarries, and sand and gravel pits, when the body of water exceeds 50 acres and the shoreland has been zoned for residential development; and

(iv) add or subtract public waters that have been created or eliminated as a requirement of a permit authorized by the commissioner under section 103G.245.

Sec. 37. Minnesota Statutes 2008, section 103G.271, subdivision 3, is amended to read:

Subd. 3. **Permit restriction during summer months.** The commissioner must not modify or restrict the amount of appropriation from a groundwater source authorized in a

water use permit issued to irrigate agricultural land ~~under section 103G.295, subdivision~~
~~2,~~ between May 1 and October 1, unless the commissioner determines the authorized
amount of appropriation endangers a domestic water supply.

Sec. 38. **[103G.282] MONITORING TO EVALUATE IMPACTS FROM**
APPROPRIATIONS.

Subdivision 1. **Monitoring equipment.** The commissioner may require the
installation and maintenance of monitoring equipment to evaluate water resource impacts
from permitted appropriations and proposed projects that require a permit. Monitoring for
water resources that supply more than one appropriator must be designed to minimize
costs to individual appropriators.

Subd. 2. **Measuring devices required.** Monitoring installations required under
subdivision 1 must be equipped with automated measuring devices to measure water
levels, flows, or conditions. The commissioner may determine the frequency of
measurements and other measuring methods based on the quantity of water appropriated
or used, the source of water, potential connections to other water resources, the method
of appropriating or using water, seasonal and long-term changes in water levels, and any
other facts supplied to the commissioner.

Subd. 3. **Reports and costs.** (a) Records of water measurements under subdivision
2 must be kept for each installation. The measurements must be reported annually to the
commissioner on or before February 15 of the following year in a format or on forms
prescribed by the commissioner.

(b) The owner or person in charge of an installation for appropriating or using
waters of the state or a proposal that requires a permit is responsible for all costs related
to establishing and maintaining monitoring installations and to measuring and reporting
data. Monitoring costs for water resources that supply more than one appropriator may be
distributed among all users within a monitoring area determined by the commissioner and
assessed based on volumes of water appropriated and proximity to resources of concern.

Sec. 39. Minnesota Statutes 2008, section 103G.285, subdivision 5, is amended to read:

Subd. 5. **Trout streams.** Permits issued after June 3, 1977, to appropriate water
from streams designated trout streams by the commissioner's orders under section ~~97C.021~~
97C.005 must be limited to temporary appropriations.

Sec. 40. **[103G.287] GROUNDWATER APPROPRIATIONS.**

Subdivision 1. **Waiver.** The commissioner may waive a limitation or requirement in subdivisions 2 to 6 for just cause.

Subd. 2. **Applications for groundwater appropriations.** Groundwater use permit applications are not complete until the applicant has supplied:

(1) a water well record as required by section 103I.205, subdivision 9, information on the subsurface geologic formations penetrated by the well and the formation or aquifer that will serve as the water source, and geologic information from test holes drilled to locate the site of the production well;

(2) the maximum daily, seasonal, and annual pumpage rates and volumes being requested;

(3) information on groundwater quality in terms of the measures of quality commonly specified for the proposed water use and details on water treatment necessary for the proposed use;

(4) an inventory of existing wells within 1-1/2 miles of the proposed production well or within the area of influence, as determined by the commissioner. The inventory must include information on well locations, depths, geologic formations, depth of the pump or intake, pumping and nonpumping water levels, and details of well construction; and

(5) the results of an aquifer test completed according to specifications approved by the commissioner. The test must be conducted at the maximum pumping rate requested in the application and for a length of time adequate to assess or predict impacts to other wells and surface water and groundwater resources. The permit applicant is responsible for all costs related to the aquifer test, including the construction of groundwater and surface water monitoring installations, and water level readings before, during, and after the aquifer test.

Subd. 3. **Relationship to surface water resources.** Groundwater appropriations that have potential impacts to surface waters are subject to applicable provisions in section 103G.285.

Subd. 4. **Protection of groundwater supplies.** The commissioner may establish water appropriation limits to protect groundwater resources. When establishing water appropriation limits to protect groundwater resources, the commissioner must consider current and projected water levels and water supply management objectives in section 103G.265, subdivision 1.

Subd. 5. **Groundwater management areas.** The commissioner may designate groundwater management areas and limit total annual water appropriations and uses within a designated area to ensure future supplies. Water appropriations and uses within a designated management area must be consistent with a plan approved by the commissioner

that addresses water conservation requirements and water allocation priorities established in section 103G.261.

Subd. 6. **Interference with other wells.** The commissioner may issue water use permits for appropriation from groundwater only if the commissioner determines that adequate water supplies are available for the proposed use without reducing water levels beyond the reach of public water supply and private domestic wells constructed according to Minnesota Rules, chapter 4725.

Sec. 41. Minnesota Statutes 2008, section 103G.301, subdivision 6, is amended to read:

Subd. 6. **Filing application.** ~~(a)~~ An application for a permit must be filed with the commissioner and if the proposed activity for which the permit is requested is within a municipality, or is within or affects a watershed district or a soil and water conservation district, a copy of the application with maps, plans, and specifications must be served on the mayor of the municipality, the secretary of the board of managers of the watershed district, and the secretary of the board of supervisors of the soil and water conservation district.

~~(b) If the application is required to be served on a local governmental unit under this subdivision, proof of service must be included with the application and filed with the commissioner.~~

Sec. 42. Minnesota Statutes 2008, section 103G.305, subdivision 2, is amended to read:

Subd. 2. **Exception.** The requirements of subdivision 1 do not apply to applications for a water use permit for:

~~(1) appropriations from waters of the state for irrigation, under section 103G.295;~~
~~(2)~~ appropriations for diversion from the basin of origin of more than 2,000,000 gallons per day average in a 30-day period; or

~~(3)~~ (2) appropriations with a consumptive use of more than 2,000,000 gallons per day average for a 30-day period.

Sec. 43. Minnesota Statutes 2008, section 103G.315, subdivision 11, is amended to read:

Subd. 11. **Limitations on permits.** (a) Except as otherwise expressly provided by law, a permit issued by the commissioner under this chapter is subject to:

(1) cancellation by the commissioner at any time if necessary to protect the public interests;

(2) further conditions on the term of the permit or its cancellation as the commissioner may prescribe and amend and reissue the permit; and

(3) applicable law existing before or after the issuance of the permit.

(b) Permits issued to irrigate agricultural land ~~under section 103G.295, or considered issued,~~ are subject to this subdivision and are subject to cancellation by the commissioner upon the recommendation of the supervisors of the soil and water conservation district where the land to be irrigated is located.

Sec. 44. Minnesota Statutes 2008, section 103G.515, subdivision 5, is amended to read:

Subd. 5. **Removal of hazardous dams.** Notwithstanding any provision of this section or of section 103G.511 relating to cost sharing or apportionment, the commissioner, within the limits of legislative appropriation, may assume or pay the entire cost of removal of a privately or publicly owned dam upon determining removal provides the lowest cost solution and:

(1) that continued existence of the structure presents a significant public safety hazard, or prevents restoration of an important fisheries resource; or

(2) that public or private property is being damaged due to partial failure of the structure, ~~and that an attempt to assess costs of removal against the private or public owner would be of no avail.~~

Sec. 45. Minnesota Statutes 2008, section 103G.615, subdivision 2, is amended to read:

Subd. 2. **Fees.** (a) The commissioner shall establish a fee schedule for permits to control or harvest aquatic plants other than wild rice. The fees must be set by rule, and section 16A.1283 does not apply, but the rule must not take effect until 45 legislative days after it has been reported to the legislature. The fees shall be based upon the cost of receiving, processing, analyzing, and issuing the permit, and additional costs incurred after the application to inspect and monitor the activities authorized by the permit, and enforce aquatic plant management rules and permit requirements.

(b) A fee for a permit for the control of rooted aquatic vegetation for each contiguous parcel of shoreline owned by an owner may be charged. This fee may not be charged for permits issued in connection with purple loosestrife control or lakewide Eurasian water milfoil control programs.

(c) A fee may not be charged to the state or a federal governmental agency applying for a permit.

51.1 (d) A fee for a permit for the control of rooted aquatic vegetation in a public
51.2 water basin that is 20 acres or less in size shall be one-half of the fee established under
51.3 paragraph (a).

51.4 (e) The money received for the permits under this subdivision shall be deposited in
51.5 the treasury and credited to the water recreation account.

51.6 **EFFECTIVE DATE.** This section is effective August 1, 2010.

51.7 Sec. 46. **[103G.651] REMOVING SUNKEN LOGS FROM PUBLIC WATERS**
51.8 **PROHIBITED.**

51.9 The commissioner of natural resources must not issue leases to remove sunken logs
51.10 or issue permits for the removal of sunken logs from public waters.

51.11 Sec. 47. Minnesota Statutes 2008, section 115A.02, is amended to read:

51.12 **115A.02 LEGISLATIVE DECLARATION OF POLICY; PURPOSES.**

51.13 (a) It is the goal of this chapter to protect the state's land, air, water, and other natural
51.14 resources and the public health by improving waste management in the state to serve
51.15 the following purposes:

- 51.16 (1) reduction in the amount and toxicity of waste generated;
51.17 (2) separation and recovery of materials and energy from waste;
51.18 (3) reduction in indiscriminate dependence on disposal of waste;
51.19 (4) coordination of solid waste management among political subdivisions; and
51.20 (5) orderly and deliberate development and financial security of waste facilities
51.21 including disposal facilities.

51.22 (b) The waste management goal of the state is to foster an integrated waste
51.23 management system in a manner appropriate to the characteristics of the waste stream
51.24 and thereby protect the state's land, air, water, and other natural resources and the public
51.25 health. The following waste management practices are in order of preference:

- 51.26 (1) waste reduction and reuse;
51.27 (2) waste recycling;
51.28 (3) composting of source-separated compostable materials, including but not limited
51.29 to, yard waste and food waste;
51.30 (4) resource recovery through mixed municipal solid waste composting or
51.31 incineration;

(5) land disposal which produces no measurable methane gas or which involves the retrieval of methane gas as a fuel for the production of energy to be used on-site or for sale; and

(6) land disposal which produces measurable methane and which does not involve the retrieval of methane gas as a fuel for the production of energy to be used on-site or for sale.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 48. Minnesota Statutes 2008, section 116.07, subdivision 4, is amended to read:

Subd. 4. **Rules and standards.** (a) Pursuant and subject to the provisions of chapter 14, and the provisions hereof, the Pollution Control Agency may adopt, amend and rescind rules and standards having the force of law relating to any purpose within the provisions of Laws 1967, chapter 882, for the prevention, abatement, or control of air pollution. Any such rule or standard may be of general application throughout the state, or may be limited as to times, places, circumstances, or conditions in order to make due allowance for variations therein. Without limitation, rules or standards may relate to sources or emissions of air contamination or air pollution, to the quality or composition of such emissions, or to the quality of or composition of the ambient air or outdoor atmosphere or to any other matter relevant to the prevention, abatement, or control of air pollution.

(b) Pursuant and subject to the provisions of chapter 14, and the provisions hereof, the Pollution Control Agency may adopt, amend, and rescind rules and standards having the force of law relating to any purpose within the provisions of Laws 1969, chapter 1046, for the collection, transportation, storage, processing, and disposal of solid waste and the prevention, abatement, or control of water, air, and land pollution which may be related thereto, and the deposit in or on land of any other material that may tend to cause pollution. The agency shall adopt such rules and standards for sewage sludge, addressing the intrinsic suitability of land, the volume and rate of application of sewage sludge of various degrees of intrinsic hazard, design of facilities, and operation of facilities and sites. Any such rule or standard may be of general application throughout the state or may be limited as to times, places, circumstances, or conditions in order to make due allowance for variations therein. Without limitation, rules or standards may relate to collection, transportation, processing, disposal, equipment, location, procedures, methods, systems or techniques or to any other matter relevant to the prevention, abatement or control of water, air, and land pollution which may be addressed through the control of collection, transportation, processing, and disposal of solid waste and sewage sludge, and the deposit in or on land of any other material that may tend to cause pollution. By January 1, 1983,

the rules for the management of sewage sludge shall include an analysis of the sewage sludge determined by the commissioner of agriculture to be necessary to meet the soil amendment labeling requirements of section 18C.215.

(c) The rules for the disposal of solid waste shall include site-specific criteria to ~~prohibit solid waste disposal~~ determine site suitability based on the area's sensitivity to groundwater contamination, including site-specific testing. The rules shall provide criteria for locating landfills based on a site's sensitivity to groundwater contamination. Sensitivity to groundwater contamination is based on the predicted minimum time of travel of groundwater contaminants from the solid waste to the compliance boundary. The rules shall prohibit landfills in areas where karst is likely to develop. The rules shall specify testable or otherwise objective thresholds for these criteria. The rules shall also include modifications to financial assurance requirements under subdivision 4h that ensure the state is protected from financial responsibility for future groundwater contamination. The modifications to the financial assurance rules specified in this paragraph must require that a solid waste disposal facility subject to them maintain financial assurance so long as the facility poses a potential environmental risk to human health, wildlife, or the environment, as determined by the agency following an empirical assessment. The financial assurance and siting modifications to the rules specified in this paragraph do not apply to:

(1) solid waste facilities initially permitted before January 1, 2011, including future contiguous expansions and noncontiguous expansions within 600 yards of a permitted boundary;

(2) solid waste disposal facilities that accept only construction and demolition debris and incidental nonrecyclable packaging, and facilities that accept only industrial waste that is limited to wood, concrete, porcelain fixtures, shingles, or window glass resulting from the manufacture of construction materials; and

(3) requirements for permit by rule solid waste disposal facilities.

(d) Until the rules are modified as provided in paragraph (c) to include site-specific criteria to ~~prohibit areas from~~ determine site suitability for solid waste disposal due to groundwater contamination sensitivity, as required under this section, the agency shall not issue a permit for a new solid waste disposal facility, except for:

(1) the reissuance of a permit for a land disposal facility operating as of March 1, 2008;

(2) a permit to expand a land disposal facility operating as of March 1, 2008, beyond its permitted boundaries, including expansion on land that is not contiguous to, but is located within 600 yards of, the land disposal facility's permitted boundaries;

(3) a permit to modify the type of waste accepted at a land disposal facility operating as of March 1, 2008;

(4) a permit to locate a disposal facility that accepts only construction debris as defined in section 115A.03, subdivision 7;

(5) a permit to locate a disposal facility that:

(i) accepts boiler ash from an electric energy power plant that has wet scrubbed units or has units that have been converted from wet scrubbed units to dry scrubbed units as those terms are defined in section 216B.68;

(ii) is on land that was owned on May 1, 2008, by the utility operating the electric energy power plant; and

(iii) is located within three miles of the existing ash disposal facility for the power plant; or

(6) a permit to locate a new solid waste disposal facility for ferrous metallic minerals regulated under Minnesota Rules, chapter 6130, or for nonferrous metallic minerals regulated under Minnesota Rules, chapter 6132.

(e) Pursuant and subject to the provisions of chapter 14, and the provisions hereof, the Pollution Control Agency may adopt, amend and rescind rules and standards having the force of law relating to any purpose within the provisions of Laws 1971, chapter 727, for the prevention, abatement, or control of noise pollution. Any such rule or standard may be of general application throughout the state, or may be limited as to times, places, circumstances or conditions in order to make due allowances for variations therein. Without limitation, rules or standards may relate to sources or emissions of noise or noise pollution, to the quality or composition of noises in the natural environment, or to any other matter relevant to the prevention, abatement, or control of noise pollution.

(f) As to any matters subject to this chapter, local units of government may set emission regulations with respect to stationary sources which are more stringent than those set by the Pollution Control Agency.

(g) Pursuant to chapter 14, the Pollution Control Agency may adopt, amend, and rescind rules and standards having the force of law relating to any purpose within the provisions of this chapter for generators of hazardous waste, the management, identification, labeling, classification, storage, collection, treatment, transportation, processing, and disposal of hazardous waste and the location of hazardous waste facilities. A rule or standard may be of general application throughout the state or may be limited as to time, places, circumstances, or conditions. In implementing its hazardous waste rules, the Pollution Control Agency shall give high priority to providing planning and technical assistance to hazardous waste generators. The agency shall assist generators in

investigating the availability and feasibility of both interim and long-term hazardous waste management methods. The methods shall include waste reduction, waste separation, waste processing, resource recovery, and temporary storage.

(h) The Pollution Control Agency shall give highest priority in the consideration of permits to authorize disposal of diseased shade trees by open burning at designated sites to evidence concerning economic costs of transportation and disposal of diseased shade trees by alternative methods.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 49. Minnesota Statutes 2008, section 116.07, subdivision 4h, is amended to read:

Subd. 4h. **Financial responsibility rules.** (a) The agency shall adopt rules requiring the operator or owner of a solid waste disposal facility to submit to the agency proof of the operator's or owner's financial capability to provide reasonable and necessary response during the operating life of the facility and for 30 years after closure for a mixed municipal solid waste disposal facility or for a minimum of 20 years after closure, as determined by agency rules, for any other solid waste disposal facility, and to provide for the closure of the facility and postclosure care required under agency rules. Proof of financial responsibility is required of the operator or owner of a facility receiving an original permit or a permit for expansion after adoption of the rules. Within 180 days of the effective date of the rules or by July 1, 1987, whichever is later, proof of financial responsibility is required of an operator or owner of a facility with a remaining capacity of more than five years or 500,000 cubic yards that is in operation at the time the rules are adopted. Compliance with the rules and the requirements of paragraph (b) is a condition of obtaining or retaining a permit to operate the facility.

(b) A municipality, as defined in section 475.51, subdivision 2, including a sanitary district, that owns or operates a solid waste disposal facility that was in operation on May 15, 1989, may meet its financial responsibility for all or a portion of the contingency action portion of the reasonable and necessary response costs at the facility by pledging its full faith and credit to meet its responsibility.

The pledge must be made in accordance with the requirements in chapter 475 for issuing bonds of the municipality, and the following additional requirements:

(1) The governing body of the municipality shall enact an ordinance that clearly accepts responsibility for the costs of contingency action at the facility and that reserves, during the operating life of the facility and for the time period required in paragraph (a) after closure, a portion of the debt limit of the municipality, as established under section 475.53 or other law, that is equal to the total contingency action costs.

(2) The municipality shall require that all collectors that haul to the facility implement a plan for reducing solid waste by using volume-based pricing, recycling incentives, or other means.

(3) When a municipality opts to meet a portion of its financial responsibility by relying on its authority to issue bonds, it shall also begin setting aside in a dedicated long-term care trust fund money that will cover a portion of the potential contingency action costs at the facility, the amount to be determined by the agency for each facility based on at least the amount of waste deposited in the disposal facility each year, and the likelihood and potential timing of conditions arising at the facility that will necessitate response action. The agency may not require a municipality to set aside more than five percent of the total cost in a single year.

(4) A municipality shall have and consistently maintain an investment grade bond rating as a condition of using bonding authority to meet financial responsibility under this section.

(5) The municipality shall file with the commissioner of revenue its consent to have the amount of its contingency action costs deducted from state aid payments otherwise due the municipality and paid instead to the remediation fund created in section 116.155, if the municipality fails to conduct the contingency action at the facility when ordered by the agency. If the agency notifies the commissioner that the municipality has failed to conduct contingency action when ordered by the agency, the commissioner shall deduct the amounts indicated by the agency from the state aids in accordance with the consent filed with the commissioner.

(6) The municipality shall file with the agency written proof that it has complied with the requirements of paragraph (b).

(c) The method for proving financial responsibility under paragraph (b) may not be applied to a new solid waste disposal facility or to expansion of an existing facility, unless the expansion is a vertical expansion. Vertical expansions of qualifying existing facilities cannot be permitted for a duration of longer than three years.

(d) The commissioner shall consult with the commissioner of management and budget for guidance on the forms of financial assurance that are acceptable for private owners and public owners, and in carrying out a periodic review of the adequacy of financial assurance for solid waste disposal facilities. Financial assurance rules shall allow financial mechanisms to public owners of solid waste disposal facilities that are appropriate to their status as subdivisions of the state.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 50. Minnesota Statutes 2008, section 290.431, is amended to read:

290.431 NONGAME WILDLIFE CHECKOFF.

Every individual who files an income tax return or property tax refund claim form may designate on their original return that \$1 or more shall be added to the tax or deducted from the refund that would otherwise be payable by or to that individual and paid into an account to be established for the management of nongame wildlife. The commissioner of revenue shall, on the income tax return and the property tax refund claim form, notify filers of their right to designate that a portion of their tax or refund shall be paid into the nongame wildlife management account. The sum of the amounts so designated to be paid shall be credited to the nongame wildlife management account for use by the nongame program ~~of the section of wildlife~~ in the Department of Natural Resources. All interest earned on money accrued, gifts to the program, contributions to the program, and reimbursements of expenditures in the nongame wildlife management account shall be credited to the account by the commissioner of management and budget, except that gifts or contributions received directly by the commissioner of natural resources and directed by the contributor for use in specific nongame field projects or geographic areas shall be handled according to section 84.085, subdivision 1. The commissioner of natural resources shall submit a work program for each fiscal year and semiannual progress reports to the Legislative-Citizen Commission on Minnesota Resources in the form determined by the commission. ~~None of the money provided in this section may be expended unless the commission has approved the work program.~~

The state pledges and agrees with all contributors to the nongame wildlife management account to use the funds contributed solely for the management of nongame wildlife projects and further agrees that it will not impose additional conditions or restrictions that will limit or otherwise restrict the ability of the commissioner of natural resources to use the available funds for the most efficient and effective management of nongame wildlife. The commissioner may use funds appropriated for nongame wildlife programs for the purpose of developing, preserving, restoring, and maintaining wintering habitat for neotropical migrant birds in Latin America and the Caribbean under agreement or contract with any nonprofit organization dedicated to the construction, maintenance, and repair of such projects that are acceptable to the governmental agency having jurisdiction over the land and water affected by the projects. Under this authority, the commissioner may execute agreements and contracts if the commissioner determines that the use of the funds will benefit neotropical migrant birds that breed in or migrate through the state.

Sec. 51. Minnesota Statutes 2008, section 290.432, is amended to read:

290.432 CORPORATE NONGAME WILDLIFE CHECKOFF.

A corporation that files an income tax return may designate on its original return that \$1 or more shall be added to the tax or deducted from the refund that would otherwise be payable by or to that corporation and paid into the nongame wildlife management account established by section 290.431 for use by ~~the section of wildlife in~~ the Department of Natural Resources for its nongame wildlife program. The commissioner of revenue shall, on the corporate tax return, notify filers of their right to designate that a portion of their tax return be paid into the nongame wildlife management account for the protection of endangered natural resources. All interest earned on money accrued, gifts to the program, contributions to the program, and reimbursements of expenditures in the nongame wildlife management account shall be credited to the account by the commissioner of management and budget, except that gifts or contributions received directly by the commissioner of natural resources and directed by the contributor for use in specific nongame field projects or geographic areas shall be handled according to section 84.085, subdivision 1. The commissioner of natural resources shall submit a work program for each fiscal year to the Legislative-Citizen Commission on Minnesota Resources in the form determined by the commission. ~~None of the money provided in this section may be spent unless the commission has approved the work program.~~

The state pledges and agrees with all corporate contributors to the nongame wildlife account to use the funds contributed solely for the nongame wildlife program and further agrees that it will not impose additional conditions or restrictions that will limit or otherwise restrict the ability of the commissioner of natural resources to use the available funds for the most efficient and effective management of those programs.

Sec. 52. Laws 2010, chapter 215, article 3, section 4, subdivision 10, is amended to read:

Subd. 10. Transfers In

(a) By June 30, 2010, the commissioner of management and budget shall transfer any remaining balance, estimated to be \$98,000, from the stream protection and improvement fund under Minnesota Statutes, section 103G.705, to the general fund. Beginning in fiscal year 2011, all repayment of loans

59.1 made and administrative fees assessed under
59.2 Minnesota Statutes, section 103G.705,
59.3 estimated to be \$195,000 in 2011, must be
59.4 transferred to the general fund.

59.5 (b) The balance of surcharges on criminal and
59.6 traffic offenders, estimated to be \$900,000,
59.7 and credited to the game and fish fund
59.8 under Minnesota Statutes, section 357.021,
59.9 subdivision 7, and collected before June 30,
59.10 2010, must be transferred to the general fund.

59.11 (c) The appropriation in Laws 2007, First
59.12 Special Session chapter 2, article 1, section
59.13 8, transferred to the appropriation in Laws
59.14 2007, First Special Session chapter 2, article
59.15 1, section 5, for cost-share flood programs
59.16 in southeastern Minnesota, is reduced by
59.17 \$335,000 and that amount is canceled to the
59.18 general fund.

59.19 (d) Before June 30, 2011, the commissioner
59.20 of management and budget shall transfer
59.21 \$1,000,000 from the fleet management
59.22 account in the special revenue fund
59.23 established under Minnesota Statutes, section
59.24 84.0856, to the general fund.

59.25 Sec. 53. **SUBSURFACE SEWAGE TREATMENT SYSTEMS ORDINANCE**
59.26 **ADOPTION DELAY.**

59.27 (a) Notwithstanding Minnesota Statutes, section 115.55, subdivision 2, a county may
59.28 adopt an ordinance by February 4, 2012, to comply with the February 4, 2008, revisions to
59.29 subsurface sewage treatment system rules. A county must continue to enforce its current
59.30 ordinance until a new one has been adopted.

59.31 (b) By January 15, 2011, the agency, after consultation with the Board of Water and
59.32 Soil Resources and the Association of Minnesota Counties, shall report to the chairs and
59.33 ranking minority members of the senate and house of representatives environment and
59.34 natural resources policy and finance committees and divisions on:

(1) the technical changes in the rules for subsurface sewage treatment systems that were adopted on February 4, 2008;

(2) the progress in local adoption of ordinances to comply with the rules; and

(3) the progress in protecting the state's water resources from pollution due to subsurface sewage treatment systems.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 54. **DEPARTMENT OF NATURAL RESOURCES LONG-RANGE BUDGET ANALYSIS.**

(a) The commissioner of natural resources, in consultation with the commissioner of management and budget, shall estimate the total amount of funding available from all sources for each of the following land management categories: wildlife management areas; state forests; scientific and natural areas; aquatic management areas; public water access sites; and prairie bank easements. The commissioner of natural resources shall prepare a ten-year budget analysis of the department's ongoing land management needs, including restoration of each parcel needing restoration. The analysis shall include:

(1) an analysis of the needs of wildlife management areas, including identification of internal systemwide guidelines on the proper frequency for activities such as controlled burns, tree and woody biomass removal, and brushland management;

(2) an analysis of state forests needs, including identification of internal systemwide guidelines on the proper frequency for forest management activities;

(3) an analysis of scientific and natural areas needs, including identification of internal systemwide guidelines on the proper frequency for management activities;

(4) an analysis of aquatic management areas needs, including identification of internal systemwide guidelines on the proper frequency for management activities; and

(5) an analysis of the needs of the state's public water access sites, including identification of internal systemwide guidelines on the proper frequency for management activities.

(b) The commissioner shall compare the estimate of the total amount of funding available to the department's ongoing management needs to determine:

(1) the amount necessary to manage, restore, and maintain existing wildlife management areas, state forests, scientific and natural areas, aquatic management areas, public water access sites, and prairie bank easements; and

(2) the amount necessary to expand upon each of the existing wildlife management areas, state forests, scientific and natural areas, aquatic management areas, public

61.1 water access sites, and prairie bank easement programs, including the feasibility of the
61.2 department's existing long-range plans, if applicable, for each program.

61.3 (c) The commissioner of natural resources shall submit the analysis to the chairs of
61.4 the house of representatives and senate committees with jurisdiction over environment and
61.5 natural resources finance and cultural and outdoor resources finance by October 15, 2010.

61.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

61.7 Sec. 55. **SOLID WASTE FACILITY FINANCIAL ASSURANCE**

61.8 **MECHANISMS; INPUT.**

61.9 Within six months after the effective date of this section, and before publishing
61.10 the rules required for groundwater sensitivity and financial assurance in Minnesota
61.11 Statutes, section 116.07, subdivision 4, the Pollution Control Agency shall consult with
61.12 experts and interested persons on financial assurance adequacy for solid waste facilities,
61.13 including, but not limited to, staff from the Department of Natural Resources, Minnesota
61.14 Management and Budget, local governments, private and public landfill operators, and
61.15 environmental groups. The commissioner shall seek the input to determine the adequacy
61.16 of existing financial assurance rules to address environmental risks, the length of time
61.17 financial assurance is needed, based on the threat to human health and the environment,
61.18 the reliability of financial assurance in covering risks from land disposal of waste in
61.19 Minnesota and other states, and the role of private insurance.

61.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

61.21 Sec. 56. **WIND ENERGY SYSTEMS ON STATE-OWNED LANDS; REPORT.**

61.22 By February 15, 2011, the commissioner of natural resources shall report to the
61.23 senate and house of representatives environment and natural resource policy and finance
61.24 committees and divisions on the use of state-owned lands for wind energy systems. The
61.25 report shall include:

61.26 (1) information on the benefits and costs of using state-owned lands for wind energy
61.27 systems;

61.28 (2) the effects of wind energy systems on state-owned lands;

61.29 (3) recommendations for a regulatory system and restrictions that will be necessary
61.30 to protect the state's land and water resources when using state-owned lands for wind
61.31 energy systems; and

61.32 (4) identification of state-owned lands that would be suitable for wind energy
61.33 systems and state-owned lands that would be unsuitable, including recommendations for

62.1 restrictions on the use of state-owned lands based on their designation as units of the
62.2 outdoor recreation system under Minnesota Statutes, section 86A.05.

62.3 Sec. 57. **APPROPRIATION; DEPARTMENT OF NATURAL RESOURCES**
62.4 **PEACE OFFICER TRAINING.**

62.5 \$145,000 in fiscal year 2011 is appropriated from the game and fish fund to
62.6 the commissioner of natural resources for peace officer training for employees of the
62.7 Department of Natural Resources who are licensed under Minnesota Statutes, sections
62.8 626.84 to 626.863, to enforce game and fish laws. This appropriation is from the money
62.9 credited to the game and fish fund under Minnesota Statutes, section 357.021, subdivision
62.10 7, paragraph (a), clause (1), from surcharges assessed to criminal and traffic offenders.
62.11 This is a onetime appropriation.

62.12 Sec. 58. **APPROPRIATION; STATE WATER TRAILS.**

62.13 \$60,000 is appropriated in fiscal year 2011 from the water recreation account in the
62.14 natural resources fund to the commissioner of natural resources to cooperate with local
62.15 units of government in marking state water trails under Minnesota Statutes, section 85.32;
62.16 acquiring and developing river accesses and campsites; and removing obstructions that
62.17 may cause public safety hazards. This is a onetime appropriation and available until spent.

62.18 Sec. 59. **APPROPRIATION; MOOSE TRAIL.**

62.19 \$100,000 in fiscal year 2011 is appropriated to the commissioner of natural resources
62.20 from the all-terrain vehicle account in the natural resources fund for a grant to the city of
62.21 Hoyt Lakes to convert the Moose Trail snowmobile trail to a dual usage trail, so that it
62.22 may also be used as an off-highway vehicle trail connecting the city of Biwabik to the
62.23 Iron Range Off-Highway Vehicle Recreation Area. This is a onetime appropriation and
62.24 is available until spent.

62.25 Sec. 60. **APPROPRIATION; ECOLOGICAL CLASSIFICATION PROGRAM.**

62.26 \$250,000 in fiscal year 2011 is appropriated from the heritage enhancement account
62.27 in the game and fish fund to the commissioner of natural resources to maintain and expand
62.28 the ecological classification program on state forest lands. This is a onetime appropriation.

62.29 Sec. 61. **PARKS AND TRAILS APPROPRIATION; LOTTERY-IN-LIEU**
62.30 **REVENUE.**

\$300,000 in fiscal year 2011 is appropriated from the natural resources fund to the commissioner of natural resources for state park, state recreation area, and state trail operations. This is from the revenue deposited in the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (2).

\$300,000 in fiscal year 2011 is appropriated from the natural resources fund to the Metropolitan Council for metropolitan area regional parks and trails maintenance and operations. This is from the revenue deposited in the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (3).

Sec. 62. **REVISOR'S INSTRUCTION.**

(a) The revisor of statutes shall change the term "horse trail pass" to "horse pass" wherever it appears in Minnesota Statutes and Minnesota Rules.

(b) The revisor of statutes shall change the term "canoe and boating routes" or similar term to "state water trails" or similar term wherever it appears in Minnesota Statutes and Minnesota Rules.

(c) The revisor of statutes shall change the term "Minnesota Conservation Corps" to "Conservation Corps Minnesota" wherever it appears in Minnesota Statutes.

Sec. 63. **REPEALER.**

(a) Minnesota Statutes 2008, sections 84.02, subdivisions 1, 2, 3, 4, 5, 6, 7, and 8; 90.172; 97B.665, subdivision 1; 103G.295; and 103G.650, are repealed.

(b) Minnesota Statutes 2009 Supplement, sections 3.3006; and 84.02, subdivisions 4a, 6a, and 6b, are repealed.

(c) Laws 2009, chapter 172, article 5, section 8, is repealed.

ARTICLE 4

REORGANIZATION

Section 1. **ENVIRONMENT AND NATURAL RESOURCES ORGANIZATION
ADVISORY COMMITTEE.**

Subdivision 1. **Membership.** (a) The Environment and Natural Resources Organization Advisory Committee of 18 members is created to advise the legislature and governor on an organization for state agencies and local governments to administer environment and natural resource policies. The advisory committee shall consist of:

(1) four public members appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration;

(2) two members of the senate appointed by the Subcommittee on Committees of the Committee on Rules and Administration, including one member of the minority;

(3) four public members appointed by the speaker of the house;

(4) two members of the house of representatives, including one member appointed by the speaker of the house and one member appointed by the house minority leader; and

(5) six public members appointed by the governor.

The appointing authorities shall consider geographic balance in making the appointments. The senate appointments must include a representative of city government.

The house of representatives appointments must include a representative from county government. The governor's appointments must include one representing soil and water conservation districts, one representing watershed districts, and one representing tribal governments. All appointments to the advisory committee shall have experience or expertise in the science, policy, or practice of the protection, conservation, preservation, and enhancement of the state's environment and natural resources and have strong knowledge in the state's environment and natural resource issues around the state. All appointments shall be made by August 15, 2010.

(b) Public members of the advisory committee are entitled to reimbursement for per diem expenses, plus travel expenses incurred in the services of the advisory committee, as provided in Minnesota Statutes, section 15.059.

(c) Members shall elect a chair. The chair shall preside and convene meetings as often as necessary to conduct duties prescribed by this section. Meetings of the advisory committee shall be held in all regions of the state.

(d) The Department of Management and Budget shall provide for administrative services to the advisory committee. The commissioner of management and budget shall convene the first organizational meeting of the advisory committee by September 1, 2010.

Subd. 2. **Duties.** The advisory committee shall recommend a structure to provide an efficient and effective organization for state agencies and local governments to administer environment and natural resource policies. In making its recommendations, the advisory committee shall consider structures of organization that will provide for the protection, conservation, preservation, and enhancement of the state's environment and natural resources and will accomplish:

(1) a reduction in redundant management personnel;

(2) accountability to the public;

(3) consolidation of project-permitting functions;

(4) professionalism in the provision of services;

(5) reduced political influence in the process;

- (6) enhancing public participation and interaction with the public;
- (7) alignment of services to meet current and expected future needs;
- (8) utilization of new technology;
- (9) providing assistance to businesses that will create and maintain jobs for the green economy; and
- (10) a reduction in overall personnel needed that will be accomplished through attrition.

Subd. 3. Public meetings. (a) Meetings of the advisory committee and task forces of the advisory committee must be open to the public. For purposes of this subdivision, a meeting occurs when a quorum is present and action is taken regarding a matter within the jurisdiction of the advisory committee and task forces of the advisory committee.

(b) For legislative members of the advisory committee and task forces of the advisory committee, enforcement of this subdivision is governed by Minnesota Statutes, section 3.055, subdivision 2. For nonlegislative members of the advisory committee and task forces of the advisory committee, enforcement of this subdivision is governed by Minnesota Statutes, section 13D.06, subdivisions 1 and 2.

Subd. 4. Intergovernmental task force. By October 15, 2010, the advisory committee shall establish a task force to assist in coordinating state and local environmental and natural resource programs and requirements. The membership of the task force must include equal and broad representation of state and local government units. By June 15, 2011, the task force shall provide a report to the advisory committee on recommendations for coordinating, streamlining, and consolidating state and local programs, requirements, and functions relating to natural resources and the environment.

Subd. 5. Employee participation task force. By October 15, 2010, the advisory committee shall establish a task force to identify employer and employee issues that will need to be considered in a reorganization of state agencies responsible for administering environment and natural resource policies. The task force must include representatives from both management and nonmanagement personnel from each agency affected under sections 2 to 4. By June 15, 2011, the task force shall provide a report to the advisory committee on employee issues to consider in reorganizing state environment and natural resource agencies.

Subd. 6. Stakeholder task force. By October 15, 2010, the advisory committee shall establish a stakeholder task force to provide input on stakeholder concerns and recommendations for reorganization. Membership of the stakeholder task force must include an equal and broad representation of environment and natural resource stakeholders. By June 15, 2011, the task force shall provide a report to the advisory

committee on stakeholder issues to consider in reorganizing state environment and natural resource agencies.

Subd. 7. **Advisory committee report.** The advisory committee shall prepare a report on its recommendations for an efficient and effective organization for state agencies and local governments to administer environment and natural resource policies. By August 15, 2011, the report must be submitted to the governor and to the house of representatives and senate environment, natural resources, and agricultural policy and finance committees and divisions. The advisory committee report shall include copies of the task force reports submitted under subdivisions 4 to 6.

Subd. 8. **Sunset.** The advisory committee and all task forces authorized by this section expire on September 1, 2011.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. **CONSIDERATION OF AGENCIES.**

The Department of Natural Resources, the Board of Water and Soil Resources, and the Pollution Control Agency shall be considered by the advisory committee established under section 1.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 3. **POWERS AND DUTIES FROM OTHER AGENCIES.**

Subdivision 1. **Department of Agriculture.** The following powers and duties of the Department of Agriculture shall be considered by the advisory committee established under section 1:

(1) regulation of fertilizers, soil amendments, agricultural liming, and plant amendments under Minnesota Statutes, chapter 18C;

(2) pesticide control under Minnesota Statutes, chapter 18B;

(3) agriculture chemical incident response and cleanup under Minnesota Statutes, chapter 18D;

(4) chemical incident reimbursement under Minnesota Statutes, chapter 18E;

(5) genetically engineered organisms under Minnesota Statutes, chapter 18F;

(6) urban forest promotion under Minnesota Statutes, section 17.86;

(7) groundwater protection under Minnesota Statutes, chapter 103H; and

(8) oil and hazardous substance discharge preparedness under Minnesota Statutes, chapter 115E.

Subd. 2. **Department of Health.** The following powers and duties of the Department of Health shall be considered by the advisory committee established under section 1:

- (1) water well program under Minnesota Statutes, chapter 103I;
- (2) safe drinking water program under Minnesota Statutes, sections 144.381 to 144.387;
- (3) health risk assessment under Minnesota Statutes, section 115B.17, subdivision 10;
- (4) domestic water supply protection under Minnesota Statutes, sections 144.35 to 144.37;
- (5) asbestos contractor licensing under Minnesota Statutes, sections 326.70 to 326.81;
- (6) public health laboratory regulation under Minnesota Statutes, sections 144.97 to 144.98;
- (7) lead poisoning prevention under Minnesota Statutes, sections 144.9501 to 144.9512;
- (8) hazardous substance exposure under Minnesota Statutes, section 145.94;
- (9) mosquito research under Minnesota Statutes, section 144.95;
- (10) environmental health tracking under Minnesota Statutes, sections 144.995 to 144.998;
- (11) water supply monitoring and health assessments under Minnesota Statutes, section 116.155; and
- (12) health risk limits under Minnesota Statutes, section 103H.201.

Subd. 3. **Department of Commerce.** The following powers and duties of the Department of Commerce shall be considered by the advisory committee established under section 1: energy planning and conservation under Minnesota Statutes, chapter 216C.

Subd. 4. **Department of Transportation.** The following powers and duties of the Department of Transportation shall be considered by the advisory committee established under section 1: oil and hazardous substance discharge preparedness under Minnesota Statutes, chapter 115E.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 4. **CONSIDERATION OF BOARDS.**

The Environmental Quality Board, the Harmful Substances Compensation Board, the Petroleum Tank Release Compensation Board, and the Agricultural Chemical

68.1 Response Compensation Board shall be considered by the advisory committee established
68.2 under section 1.

68.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

68.4 Sec. 5. **APPROPRIATION.**

68.5 \$30,000 in fiscal year 2011 is appropriated from the environmental fund to the
68.6 commissioner of management and budget for administrative expenses of the Environment
68.7 and Natural Resources Organization Advisory Committee and for compensation and
68.8 expense reimbursement of advisory committee members. This is a onetime appropriation
68.9 and is available until September 1, 2011.

68.10 **ARTICLE 5**

68.11 **STATE LANDS**

68.12 Section 1. Minnesota Statutes 2008, section 84.0272, subdivision 2, is amended to read:

68.13 Subd. 2. **Stream easements.** (a) Notwithstanding subdivision 1, the commissioner
68.14 may acquire permanent stream easements for angler access, fish management, and habitat
68.15 work for a onetime payment based on a value attributed to both the stream and the
68.16 easement corridor. The payment shall equal:

68.17 (1) the per linear foot of stream within the easement corridor times \$5; plus

68.18 (2) the easement corridor acres times the estimated market value.

68.19 (b) The estimated market value is equal to:

68.20 (1) ~~the total farm market value plus the timberlands value~~ agricultural market value
68.21 plus the rural vacant market value plus the managed forest market value; divided by

68.22 (2) ~~the acres of deeded farmland plus the acres of timber~~ agricultural land plus the
68.23 rural vacant land plus the managed forest land.

68.24 (c) ~~The total farm market value, timberlands value, acres of deeded farmland, and~~
68.25 ~~acres of timber~~ agricultural market value, rural vacant market value, and managed forest
68.26 market value or equivalent are determined from data collected by the Department of
68.27 Revenue during its annual spring mini abstract survey. If the Department of Revenue
68.28 changes its property type groups for its annual spring mini abstract survey, the agricultural
68.29 market value, the rural vacant market value, and the managed forest market value shall be
68.30 determined by the commissioner from data collected by the Department of Revenue in a
68.31 manner that provides the most reasonable substitute for the market values as presently
68.32 reported. The commissioner must use the most recent available data for the city or
68.33 township within which the easement corridor is located.

(d) The commissioner shall periodically review the easement payment rates under this subdivision to determine whether the stream easement payments reflect current shoreland market values. If the commissioner determines that the easements do not reflect current shoreland market values, the commissioner shall report to the senate and house of representatives natural resources policy committees with recommendations for changes to this subdivision that are necessary for the stream easement payment rates to reflect current shoreland market values. The recommendations may include an adjustment to the dollar amount in paragraph (a), clause (1).

Sec. 2. Minnesota Statutes 2008, section 85.012, subdivision 40, is amended to read:

Subd. 40. McCarthy Beach State Park, St. Louis ~~County~~ and Itasca Counties, which is hereby renamed from McCarthy Beach Memorial State Park.

Sec. 3. **[85.0144] HILL-ANNEX MINE STATE PARK; HISTORIC PROPERTY EXEMPTION.**

In accordance with Laws 1988, chapter 686, article 1, section 53, that provided that mining may be conducted on Hill-Annex Mine State Park in the future and that portions of the surface estate may be necessary for these mining operations, section 138.665, subdivision 2, does not apply to the removal of any taconite or any iron-bearing material stockpiles within the Hill-Annex Mine State Park.

Sec. 4. Minnesota Statutes 2008, section 89.032, subdivision 2, is amended to read:

Subd. 2. **Acquisition for state forests.** The commissioner may acquire lands or interest in lands for state forest purposes. The land or interests in land may be subject to mineral reservations.

Sec. 5. Laws 2008, chapter 368, article 1, section 34, as amended by Laws 2009, chapter 176, article 4, section 2, is amended to read:

Sec. 34. **PRIVATE SALE OF SURPLUS STATE LAND; HENNEPIN COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources shall sell to the city of Wayzata the surplus land that is described in paragraph (c) ~~upon verification that the city has acquired the adjacent parcel, currently occupied by a gas station.~~

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors

and ensure accuracy. The commissioner may sell the land described in paragraph (c) to the city of Wayzata, for ~~up to \$75,000 plus transaction costs~~ \$1, but the conveyance must provide that the land described in paragraph (c) be used for a public road and reverts to the state if the city of Wayzata fails to provide for public use of the land as a road or abandons the public use of the land.

(c) The land that may be sold is located in Hennepin County and is described as: Tract F, Registered Land Survey No. 1168.

(d) The Department of Natural Resources has determined that the state's land management interests would best be served if the land was conveyed to the city of Wayzata.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 6. Laws 2009, chapter 176, article 4, section 9, is amended to read:

Sec. 9. PRIVATE SALE OF SURPLUS LAND; CLEARWATER COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell by private sale the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The commissioner may sell the land to the White Earth Band of Ojibwe for ~~less than the value of the land as determined by the commissioner~~ \$1, but the conveyance must provide that the land be used for the public and reverts to the state if the band fails to provide for public use or abandons the public use of the land. The conveyance may reserve an easement for ingress and egress.

(c) The land that may be sold is located in Clearwater County and is described as: the West 400 feet of the South 750 feet of Government Lot 3, Section 31, Township 145 North, Range 38 West, containing 6.89 acres, more or less.

(d) The Department of Natural Resources has determined that the land and building are no longer needed for natural resource purposes.

Sec. 7. ADDITIONS TO STATE PARKS.

Subdivision 1. [85.012] [Subd. 19.] Forestville Mystery Cave State Park, Fillmore County. The following areas are added to Forestville Mystery Cave State Park, all in Fillmore County:

(1) commencing at the northeast corner of Section 14, Township 102 North, Range 12 West; thence West 1,608.8 feet; thence South 2 degrees 50 minutes West 1,260.4 feet;

71.1 thence North 89 degrees 57 minutes West 656 feet; thence South 0 degrees 39 minutes
71.2 West 541.4 feet; thence North 89 degrees 57 minutes West 302.7 feet; thence South 0
71.3 degrees 39 minutes West 347.1 feet; thence South 89 degrees 58 minutes East 132 feet;
71.4 thence South 0 degrees 39 minutes West 496 feet; thence South 89 degrees 58 minutes
71.5 East 495 feet; thence South 54 degrees East 990 feet; thence South 39 degrees East 295
71.6 feet; thence South 84 degrees East 594 feet; thence South 64 degrees East 148.5 feet;
71.7 thence South 66 degrees East 462 feet; thence North 0 degrees 45 minutes East 3763
71.8 feet to beginning;

71.9 (2) that part of the East Half of the Southeast Quarter of Section 14, Township 102
71.10 North, Range 12 West, lying North of the south bank of the North Branch Creek, also
71.11 known as Forestville Creek. Said parcel of real estate being more fully described as
71.12 follows: commencing at the northeast corner of Section 14, proceed West, a distance
71.13 of 1,608.8 feet; thence South 2 degrees 50 minutes West a distance of 1,260.4 feet;
71.14 thence North 89 degrees 57 minutes West, a distance of 656 feet; thence South 0 degrees
71.15 39 minutes West, a distance of 541.4 feet to the beginning corner. From the point of
71.16 beginning, continue North 89 degrees 57 minutes West, a distance of 302.7 feet; thence
71.17 South 0 degrees 39 minutes West a distance of 347.1 feet; thence South 89 degrees 58
71.18 minutes East, a distance of 132 feet; thence South 0 degrees 39 minutes West, a distance
71.19 of 496 feet; thence South 89 degrees 58 minutes East a distance of 363 feet; thence South
71.20 54 degrees East 990 feet; thence South 39 degrees East 295 feet; thence South 84 degrees
71.21 East 594 feet; thence South 64 degrees East 148.5 feet; thence South 66 degrees East 462
71.22 feet, to the section line; thence North on the section line, a distance of 1,783 feet; thence
71.23 North 85 degrees 34 minutes West a distance of 2,340.2 feet to the beginning corner;

71.24 (3) the South Half of the Northeast Quarter of Section 23, Township 102, Range
71.25 12, Fillmore County, Minnesota, except the South Half of the Southeast Quarter of the
71.26 Southeast Quarter of said Northeast Quarter, and also except that part thereof lying West
71.27 of the center of County Road No. 12;

71.28 (4) that part of the North Half of the Southwest Quarter of Section 23, Township
71.29 102, Range 12, Fillmore County, Minnesota, lying northerly and easterly of the following
71.30 described line: commencing at a point 288.4 feet North of the southwest corner of the
71.31 Northwest Quarter of the Southwest Quarter of said Section 23; thence North 132 feet, to
71.32 the point of beginning of the line to be described; thence East 1,800 feet, to the center
71.33 of river; thence South 6 degrees East 133 feet to intersect the hereinafter described Line
71.34 X; thence easterly along said Line X to the hereinafter described Point A; thence South,
71.35 parallel with the west line of said Southwest Quarter to the south line of said North Half of
71.36 said Southwest Quarter and said line there terminating. Said Line X and Point A being

described as follows: commencing at the southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 23; thence running North 4.37 chains; thence East, along a line referred to as Line X in the above description, a distance of 27.25 chains to a point referred to as Point A in the above description;

(5) the East Half of the Southeast Quarter of the Southwest Quarter of Section 23, Township 102, Range 12, Fillmore County, Minnesota; and

(6) the Southeast Quarter of Section 23, Township 102, Range 12, Fillmore County, Minnesota, except the North Half of the Northeast Quarter of the Northeast Quarter of said Southeast Quarter.

Subd. 2. [85.012] [Subd. 31.] Judge C. R. Magney State Park, Cook County.
The following areas are added to Judge C. R. Magney State Park, all in Cook County: the Northwest Quarter of the Northwest Quarter, the Northeast Quarter of the Northwest Quarter, and the Northwest Quarter of the Northeast Quarter, all in Section 5, Township 62 North, Range 3 East.

Subd. 3. [85.012] [Subd. 54.] Split Rock Lighthouse State Park, Lake County.
The following areas are added to Split Rock Lighthouse State Park, all in Lake County: the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter, all in Section 32, Township 55 North, Range 8 West.

Subd. 4. [85.012] [Subd. 55a.] Tettegouche State Park, Lake County. The following areas are added to Tettegouche State Park:

(1) that part of Government Lot 2, Section 15, Township 56, Range 7, Lake County, Minnesota, described as follows: commencing at the quarter corner between said Section 15 and Section 22, Township 56, Range 7; thence East, along the section line between said Sections 15 and 22, a distance of 503.0 feet; thence northeasterly, deflecting to the left 75 degrees 00 minutes a distance of 425.0 feet, to a point designated by a two-inch iron pipe, being the point of beginning; thence northwesterly, to a point on the west line of said Lot 2 distant approximately 970.0 feet North of said quarter corner between Sections 15 and 22; thence North along said west line to the northwest corner of said Lot 2; thence East, along the north line of said Lot 2, approximately 240.0 feet; thence in a southeasterly direction to a point on the east side of a point of rocks projecting into Lake Superior, being marked by an X; thence in a southwesterly direction, along the shore of said Lake Superior to the point of beginning. (X mark on rock being in line making a deflection angle of 45 degrees 51 minutes to the left with the east-west section line from a point on the section line 503.0 feet East of the quarter corner between said Sections 15 and 22 and being approximately 830 feet from said point on said section line.); and

73.1 (2) the Northeast Quarter of the Southwest Quarter of Section 15, Township 56,
73.2 Range 7, Lake County, Minnesota.

73.3 Sec. 8. **DELETIONS FROM STATE PARKS.**

73.4 Subdivision 1. [85.012] [Subd. 1a.] Afton State Park, Washington County. The
73.5 following area is deleted from Afton State Park: all that part of the Southwest Quarter of
73.6 Section 3, Township 27, Range 20, Washington County, Minnesota, embraced within the
73.7 recorded plat of ALPS ESTATES.

73.8 Subd. 2. [85.012] [Subd. 14.] Crow Wing State Park, Crow Wing, Cass, and
73.9 Morrison Counties. The following areas are deleted from Crow Wing State Park:

73.10 (1) all that part of Government Lots 7 and 8, Section 24, Township 44, Range 32,
73.11 Crow Wing County, Minnesota, embraced within the recorded plat of RED RIVER
73.12 TRAIL; and

73.13 (2) all that part of Government Lot 7, Section 24, Township 44, Range 32, Crow
73.14 Wing County, Minnesota, embraced within the recorded plat of LOGGER RUN.

73.15 Subd. 3. [85.012] [Subd. 21.] Frontenac State Park, Goodhue County.
73.16 The following area is deleted from Frontenac State Park: that part of the Southeast
73.17 Quarter, Section 11, Township 112 North, Range 13 West, being described as BLOCK P,
73.18 GARRARD'S SOUTH EXTENSION TO FRONTENAC according to the plat on file and
73.19 of record in the Office of the Recorder for Goodhue County, Minnesota, including any
73.20 portions of vacated roadway which have attached thereto.

73.21 Subd. 4. [85.012] [Subd. 26.] Hayes Lake State Park, Roseau County. The
73.22 following area is deleted from Hayes Lake State Park: the West 45.00 feet of the North
73.23 160.7 feet of the South 263.58 feet of the Southwest Quarter of the Northeast Quarter of
73.24 Section 32, Township 160, Range 38, Roseau County, Minnesota.

73.25 Subd. 5. [85.012] [Subd. 40.] McCarthy Beach State Park, St. Louis and
73.26 Itasca Counties. The following area is deleted from McCarthy Beach State Park in
73.27 Itasca County: all that part of the Northeast Quarter of the Southeast Quarter, Section 1,
73.28 Township 60 North, Range 22 West, embraced within the recorded plat of "TRUST,"
73.29 as depicted thereon.

73.30 Subd. 6. [85.012] [Subd. 41.] Maplewood State Park, Otter Tail County. The
73.31 following areas are deleted from Maplewood State Park:

73.32 (1) that part of Government Lot 4, Section 9, Township 135, Range 42, Otter Tail
73.33 County, Minnesota, embraced within the recorded plat of South Lida Shores, according to
73.34 the recorded plat thereof;

74.1 (2) that part of Government Lot 4, Section 9, Township 135, Range 42, Otter Tail
74.2 County, Minnesota, embraced within the recorded plat of Greens Isle View Addition,
74.3 according to the recorded plat thereof;

74.4 (3) that part of Government Lot 4, Section 9, Township 135, Range 42, Otter Tail
74.5 County, Minnesota, described as follows: beginning at a point located by running West
74.6 401 feet from the northeast corner of said Government Lot 4 in Section 9; thence South 47
74.7 degrees 10 minutes West 100 feet; thence South 52 degrees 19 minutes West along the
74.8 lakeshore of Lake Lida a distance of 50 feet; thence South 42 degrees 50 minutes East
74.9 200 feet; thence North 52 degrees 19 minutes East 50 feet; thence North 42 degrees 50
74.10 minutes West 100 feet; thence North 47 degrees 10 minutes East 100 feet; thence North 42
74.11 degrees 50 minutes West, 100 feet to the point of beginning;

74.12 (4) that part of Government Lot 5, Section 9, Township 135, Range 42, Otter
74.13 Tail County, Minnesota, described as follows: commencing at the northeast corner of
74.14 Government Lot 4 in said Section 9; thence on an assumed bearing of West, along the
74.15 north line of said Government Lot 4, a distance of 130 feet, to intersect the shore of South
74.16 Lida Lake, said point of intersection being the point of beginning of the tract of land to
74.17 be described; thence return on a bearing of East, a distance of 130 feet, to said northeast
74.18 corner of Government Lot 4; thence North 03 degrees 46 minutes 00 seconds West
74.19 224.40 feet, along the centerline of a township road; thence North 08 degrees 31 minutes
74.20 00 seconds East 346.60 feet along said centerline; thence North 81 degrees 14 minutes
74.21 00 seconds West 34.00 feet to the westerly line of said township road; thence North 08
74.22 degrees 31 minutes 00 seconds East along said westerly line 125.00 feet; thence North 36
74.23 degrees 09 minutes 00 seconds West 230.00 feet; thence South 71 degrees 21 minutes 00
74.24 seconds West 93.00 feet, more or less to the easterly shoreline of South Lida Lake; thence
74.25 southeasterly along said shoreline to the point of beginning; and

74.26 (5) that part of Government Lot 2, Section 33, Township 136, Range 42, Otter Tail
74.27 County, Minnesota, described as follows: commencing at the East Quarter corner of said
74.28 Section 33; thence on an assumed bearing of West, along the east-west quarter line of
74.29 said Section 33, a distance of 3,994.0 feet; thence North 25 degrees East, a distance of
74.30 308.3 feet to the southwesterly right-of-way line of a public highway; thence North 40
74.31 degrees 00 minutes West, a distance of 169.0 feet, along said right-of-way; thence South
74.32 74 degrees 43 minutes West, a distance of 70.0 feet, more or less, to the shore of South
74.33 Lida Lake; thence southwesterly, along said shoreline to the south line of said Government
74.34 Lot 2; thence on a bearing of East, along the south line of said Government Lot 2, also
74.35 being said east-west quarter line to the point of beginning.

Subd. 7. [85.012] [Subd. 54.] Split Rock Lighthouse State Park, Lake County.

The following area is deleted from Split Rock Lighthouse State Park: the Southeast Quarter of the Southeast Quarter, Section 31, Township 55 North, Range 8 West, Lake County.

Sec. 9. ADDITIONS TO STATE FORESTS.

[89.021] [Subd. 32.] Lyons State Forest. The following area is added to the Lyons State Forest: Section 16, Township 135 North, Range 32 West, Cass County.

Sec. 10. PRIVATE SALE OF SURPLUS STATE LAND; ANOKA COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell by private sale to a political subdivision the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Anoka County and is described as: the East Half of the Southeast Quarter of Section 25, Township 32 North, Range 22 West, Anoka County, Minnesota, containing 80 acres, more or less.

(d) The Department of Natural Resources has determined that the state's land management interests would best be served if the land was conveyed to a political subdivision. A political subdivision would like to use this parcel as a wetland mitigation site.

(e) This sale is the result of the intent expressed by the city of Columbus and Anoka County to allow the commissioner of natural resources to replace the approximately 80 acres of land with land adjacent to the Carlos Avery Wildlife Management Area from willing sellers as identified in the November 19, 2007, Department of Natural Resources' land acquisition plan.

Sec. 11. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; BELTRAMI COUNTY.

(a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell by public sale the surplus land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and

ensure accuracy. The conveyance must include a reservation of perpetual road easements described in paragraph (c) to the state for ingress and egress for constructing, repairing, maintaining, and operating an adjacent northern pike spawning and rearing area.

(c) The land that may be sold is located in Beltrami County and is described as:
All that part of the Southwest Quarter of the Southwest Quarter and Government Lot 1, Section 21, Township 146 North, Range 31 West, bounded by the water's edge of Cass Lake and the following described lines: Commencing at the southwest corner of said section, thence North 00 degrees 07 minutes West, 691.2 feet on and along the west line of said section to the point of beginning; thence South 58 degrees 27 minutes East, 177.64 feet; thence South 65 degrees 00 minutes East, 162.35 feet; thence North 52 degrees 07 minutes East, 175.70 feet; thence North 86 degrees 05 minutes East, 232.35 feet; thence South 41 degrees 50 minutes East, 186.35 feet; thence South 25 degrees 59 minutes East, 122.0 feet; thence South 33 degrees 47 minutes West, 176.13 feet; thence South 26 degrees 31 minutes West, 157.26 feet; thence South 50 degrees 19 minutes East, 142.34 feet; thence North 88 degrees 05 minutes East, 66.15 feet to point "A"; thence North 67 degrees 06 minutes East, 442.0 feet; thence North 76 degrees 24 minutes East, 113.86 feet; thence North 80 degrees 48 minutes East, 88.96 feet to point "B"; thence South 17 degrees 17 minutes East, 138 feet, more or less, to the water's edge of Cass Lake and there terminating. And from the point of beginning; thence North 00 degrees 07 minutes West, 630.92 feet on and along the west line of said Section 21; thence South 75 degrees 27 minutes East, 206.01 feet; thence South 35 degrees 36 minutes East, 210.68 feet; thence South 37 degrees 07 minutes East, 230.53 feet; thence South 51 degrees 18 minutes East, 124.95 feet; thence North 55 degrees 37 minutes East, 156.60 feet; thence South 48 degrees 10 minutes East, 120.58 feet; thence South 89 degrees 59 minutes East, 197.76 feet; thence South 68 degrees 28 minutes East, 195.0 feet; thence South 38 degrees 25 minutes East, 162.17 feet; thence South 56 degrees 38 minutes East, 410.58 feet; thence South 31 degrees 06 minutes West, 203.30 feet; thence South 80 degrees 48 minutes West, 14.84 feet; thence South 17 degrees 17 minutes East, 133 feet, more or less, to the water's edge of Cass Lake and there terminating. Including all riparian rights to the contained 18.0 acres, more or less and subject to all existing easements.

Subject to a perpetual road easement for ingress and egress over and across the following described land in Government Lot 1 of said section described as follows:
Beginning at point "B," said point being on the southerly boundary of the above described tract; thence North 80 degrees 48 minutes East, 20.2 feet; thence South 17 degrees 17 minutes East, 33.33 feet; thence South 80 degrees 48 minutes West, 20.2 feet; thence North 17 degrees 17 minutes West, 33.33 feet to point "B" and the point of beginning.

77.1 Except that part of Government Lot 1 of Section 21, Township 146 North, Range
77.2 31 West, described as follows: Commencing at the southwest corner of said Section 21;
77.3 thence North 00 degrees 07 minutes West, 1,322.12 feet along the west line of said Section
77.4 21; thence South 75 degrees 27 minutes East, 206.01 feet; thence South 35 degrees 36
77.5 minutes East, 210.68 feet; thence South 37 degrees 07 minutes East, 230.53 feet; thence
77.6 South 51 degrees 18 minutes East, 124.95 feet; thence North 55 degrees 37 minutes East,
77.7 156.60 feet; thence South 48 degrees 10 minutes East, 120.58 feet; thence South 89
77.8 degrees 59 minutes East, 197.76 feet; thence South 68 degrees 28 minutes East, 195.0
77.9 feet; thence South 38 degrees 25 minutes East, 162.17 feet; thence South 56 degrees 38
77.10 minutes East, 383.52 feet, to the point of beginning; thence South 56 degrees 38 minutes
77.11 East, 27.06 feet; thence South 31 degrees 06 minutes West, 203.30 feet; thence South 80
77.12 degrees 48 minutes West, 2.52 feet; thence North 15 degrees 31 minutes West, 46.80
77.13 feet; thence North 32 degrees 31 minutes East, 18.96 feet; thence North 59 degrees 39
77.14 minutes East, 58.56 feet; thence North 20 degrees 23 minutes East, 105.29 feet to the
77.15 point of beginning; containing 0.1 acres.

77.16 Together with a perpetual road easement for ingress and egress over and across the
77.17 Southwest Quarter of the Southwest Quarter of said section being a strip of land 33 feet
77.18 wide, lying 16.5 feet on each side of the following described lines: Commencing at the
77.19 southwest corner of said Section 21; thence North 00 degrees 07 minutes West, 656.4 feet
77.20 on and along the west line of said section to the point of beginning; thence South 42
77.21 degrees 51 minutes East, 52.16 feet; thence South 70 degrees 04 minutes East, 214.3 feet;
77.22 thence South 37 degrees 58 minutes East, 219.4 feet; thence South 49 degrees 02 minutes
77.23 East, 252.6 feet; thence South 45 degrees 15 minutes East, 152.5 feet; thence South 50
77.24 degrees 19 minutes East, 119.9 feet, to the south line of Section 21 and there terminating.

77.25 Together with a perpetual road easement for ingress and egress over and across
77.26 the northwesterly 16.5 feet of the following described land in Government Lot 1 and
77.27 the Southwest Quarter of the Southwest Quarter of said section described as follows:
77.28 Beginning at point "A," said point being on the southern boundary of the above described
77.29 tract; thence North 67 degrees 06 minutes East, 442.0 feet; thence North 76 degrees 24
77.30 minutes East, 113.86 feet; thence North 80 degrees 48 minutes East, 88.96 feet; thence
77.31 South 17 degrees 17 minutes East, 33.33 feet; thence South 80 degrees 48 minutes West,
77.32 92.38 feet; thence South 76 degrees 24 minutes West, 109.91 feet; thence South 67
77.33 degrees 06 minutes West, 353.28 feet; thence South 88 degrees 05 minutes West, 92.15
77.34 feet to point "A" and the point of beginning.

(d) The land borders Cass Lake. The land was acquired for a northern pike spawning area but has not been used for such purpose for 30 years. The Department of Natural Resources has determined that the land is not needed for natural resource purposes.

Sec. 12. **PRIVATE SALE OF SURPLUS STATE LAND; CARLTON COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell by private sale to a political subdivision the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Carlton County and is described as: the Northeast Quarter of the Northwest Quarter of the Southeast Quarter, except state trunk highway right-of-way, Section 26, Township 49 North, Range 17 West, containing 9.324 acres, more or less.

(d) The Department of Natural Resources has determined that the land is not needed for natural resource purposes.

Sec. 13. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CARLTON COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Carlton County may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The land to be sold is located in Carlton County and is described as:

(1) part of Government Lot 1 commencing 42 rods 17 links East of the northwest corner of Section 6, Township 46, Range 18; thence South 82 rods 11 links; thence West to Bear Lake; thence West on the shoreline to the section line; thence North to the northwest corner; thence East to the beginning; except the highway right-of-way and except the part northwest of Highway 35, Docket 214412 and except commencing at the northwest corner of said Government Lot 1; thence South 0 degrees 5 minutes 51 seconds West on the west line thereof 1,176.49 feet to a point on the southeast right-of-way line of the Interstate Highway 35 frontage road; thence North 51 degrees 42 minutes 51 seconds East on said

right-of-way line 209.76 feet; thence South 19 degrees 45 minutes East 120.0 feet to the point of beginning; thence North 19 degrees 45 minutes West 120.0 feet; thence North 51 degrees 42 minutes 51 seconds East 80.0 feet to the MNDOT right-of-way monument; thence South 71 degrees 36 minutes 52 seconds East 216.61 feet; thence South 3 degrees 30 minutes West 195 feet, more or less, to the shore of Bear Lake; thence westerly on said shore 215 feet, more or less, to a point which bears 2 degrees 55 minutes East from the point of beginning; thence North 2 degrees 55 minutes West 150 feet, more or less, to the point of beginning, on Docket 240622 and except commencing at the northwest corner of said Government Lot 1; thence East along the north line 704.22 feet; thence South parallel to the west line 1,360.26 feet to the actual point of beginning; thence North 739.16 feet, more or less, to the southeast right-of-way line of the I-35 frontage road; thence southwest along said right-of-way line 608.48 feet, more or less, to the MNDOT monument; thence South 71 degrees 36 minutes 52 seconds East 216.61 feet; thence South 3 degrees 30 minutes West 195 feet, more or less, to the shore of Bear Lake; thence East on said shore 285 feet, more or less, to a point which bears North 00 degrees West from the point of beginning; thence South 90 degrees East 15 feet, more or less, to the point of beginning, Docket 282721 (parcel identification number 39-010-0920); and

(2) that part of Government Lot 2 lying North of Moose Horn River, Docket 262968, 272524, and 272525, Section 11, Township 46, Range 19 (parcel identification number 39-030-1220).

(d) The county has determined that the county's land management interests would best be served if the land was sold to adjoining landowners.

Sec. 14. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CARLTON COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Carlton County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Carlton County and is described as:

(1) the Northwest Quarter of the Southeast Quarter, Section 27, Township 48 North, Range 18 West (parcel number 33-010-6300);

(2) the Southwest Quarter of the Northeast Quarter, except that part East of the Kettle River, Section 26, Township 48 North, Range 20 West (parcel number 90-010-4630); and

(3) the Northwest Quarter of the Southeast Quarter or Government Lot 5, Section 12, Township 49 North, Range 19 West (parcel number 94-026-2020).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 15. **PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; CASS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, and upon completion of exchange of the school trust land for acquired land, the commissioner of natural resources may sell to a school district by private sale the surplus land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The commissioner may sell the land to a school district for less than the value of the land as determined by the commissioner, but the conveyance must provide that the land described in paragraph (c) be used for an educational unit managed forest and reverts to the state if the school district fails to provide for or abandons the educational unit managed forest use of the land.

(c) The land that may be sold is located in Cass County and is described as:

(1) the Southwest Quarter of the Southwest Quarter of Section 27;

(2) the Southeast Quarter of the Southeast Quarter of Section 28;

(3) Government Lot 11 of Section 33; and

(4) Government Lot 14 of Section 34,

all in Township 141 North, Range 28 West, containing a total of 98.7 acres, more or less.

(d) The land borders Nellie Lake. Independent School District No. 118, Longville, has inadvertently trespassed upon the land for the establishment of an educational unit managed forest under Minnesota Statutes, section 89.41. The commissioner of natural resources has determined that the state's land management interests would best be served if the land was managed as an educational unit managed forest. Since the land is currently school trust land, the commissioner of natural resources shall first exchange the school trust land for acquired land prior to sale.

Sec. 16. **PUBLIC OR PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; CASS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by public or private sale the surplus land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The commissioner may sell to a local unit of government for less than the value of the land, as determined by the commissioner, but the conveyance must provide that the land be used for the public and reverts to the state if the local unit of government fails to provide for public use or abandons the public use of the land.

(c) The land that may be sold is located in Cass County and is described as: Lot 7, Block 1, Dell's Sleepy Hollow, Cass County, Minnesota, according to the recorded plat thereof, containing 0.54 acres, more or less.

(d) The land borders Woman Lake. The Department of Natural Resources has determined that the state's land management interests would best be served if the land was conveyed to a local unit of government.

Sec. 17. **PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; GOODHUE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The conveyance must include the easement specified in paragraph (c). The purpose of the easement is to:

(1) provide for the development of fish habitat, including tree planting, erosion control, installation of instream structures, posting of signs, and other improvements;

(2) permit angling by the public; and

(3) provide ingress and egress through the property sold to the easement area.

(c) The land that may be sold is located in Goodhue County and is described as: that part of the Southwest Quarter of the Northeast Quarter and that part of the Northwest Quarter of the Southeast Quarter of Section 7, Township 112, Range 15, Goodhue County, Minnesota, which lie westerly of the centerline of County State-Aid Highway No. 6, containing 2.6 acres, more or less.

Reserving an easement over, under, and across that part of the above described property located within a strip of land 132 feet in width, and centered on the centerline

of Spring Creek, as the same meanders through said Southwest Quarter of the Northeast Quarter and said Northwest Quarter of the Southeast Quarter.

(d) The land borders Spring Creek. The Department of Natural Resources has determined that the land is not needed for natural resource purposes provided that an easement right is retained. The land is separated from the wildlife management area by a county road and has been subject to inadvertent trespass by the adjacent landowner.

Sec. 18. **PRIVATE SALE OF SURPLUS STATE LAND; HENNEPIN COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell to a local unit of government by private sale the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The commissioner may sell to a local unit of government for less than the value of the land, as determined by the commissioner, but the conveyance must provide that the land be used for the public and reverts to the state if the local unit of government fails to provide for public use or abandons the public use of the land.

(c) The land that may be sold is located in Hennepin County and is described as: Outlot A, Block 1, Schendel Woods, Hennepin County, Minnesota, according to the recorded plat thereof, containing 13.92 acres, more or less.

(d) The Department of Natural Resources has determined that the state's land management interests would best be served if the land was conveyed to a local unit of government. A local unit of government would like to use this parcel for a storm water runoff project.

Sec. 19. **CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATERS; ITASCA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Itasca County may convey to the city of Cohasset for consideration as determined by Itasca County the land described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the city of Cohasset fails to provide for the public use described in paragraph (d) or abandons the public use of the land. As a condition of conveyance, the city of Cohasset must provide to Itasca County a survey of the property,

at no cost to Itasca County. The conveyance is subject to easements, restrictions, and reservations of record. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in Itasca County and is described as: that part of Government Lot 7, Section 23, Township 55 North, Range 26 West, described as follows:

Commencing at the southwest corner of the Northwest Quarter of the Southwest Quarter, Section 23, Township 55 North, Range 26 West; thence South 88 degrees 02 minutes 11 seconds East, along the south line of said Northwest Quarter of Southwest Quarter and the south line of Government Lot 7 according to the plat of HILLCREST PARK, 1,351.90 feet to the centerline of the Tioga Beach Road and the point of beginning; thence northerly along the centerline of the Tioga Beach Road 123.51 feet along a nontangential curve concave to the East, said curve having a central angle of 12 degrees 08 minutes 28 seconds, radius of 582.87 feet, a chord bearing of North 07 degrees 35 minutes 37 seconds West, chord distance 123.28 feet; thence North 01 degrees 31 minutes 24 seconds West, along the centerline of the Tioga Beach Road 167.83 feet; thence northerly along the centerline of the Tioga Beach Road 139.95 feet along a tangential curve concave to the West, said curve having a central angle of 11 degrees 26 minutes 28 seconds, radius of 700.85 feet; thence North 12 degrees 57 minutes 52 seconds West, along the centerline of the Tioga Beach Road 174.21 feet; thence northerly along the centerline of the Tioga Beach Road 70.93 feet, more or less, along a tangential curve concave to the East, said curve having a central angle of 08 degrees 46 minutes 30 seconds, radius of 463.14 feet to intersect the north line of the South 665.00 feet of Government Lot 7; thence South 88 degrees 02 minutes 11 seconds East along the north line of the South 665.00 feet of said Government Lot 7, a distance of 512.74 feet; thence South 65 degrees 39 minutes 08 seconds East, 184 feet, more or less, to the waters edge of Pokegama Lake; thence southwesterly along the waters edge of Pokegama Lake to intersect the south line of said Government Lot 7; thence North 88 degrees 02 minutes 11 seconds West, along the south line of Government Lot 7, 220 feet, more or less, to the point of the beginning and there terminating. Parcel contains approximately 690 front feet of shoreland on Pokegama Lake and 6.8 acres.

(d) The county has determined that the county's land management interests would be best served if the lands are managed for a public beach and other public recreational purposes by the city of Cohasset.

84.1 Sec. 20. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
84.2 **WATER; MAHNOMEN COUNTY.**

84.3 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision
84.4 1, and the public sale provisions of Minnesota Statutes, chapter 282, Mahnomen County
84.5 may sell by private sale the tax-forfeited land bordering public water that is described in
84.6 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

84.7 (b) The conveyance must be in a form approved by the attorney general. The attorney
84.8 general may make changes to the land description to correct errors and ensure accuracy.
84.9 The conveyance must include a deed restriction that prohibits buildings, structures, tree
84.10 cutting, removal of vegetation, and shoreland alterations within an area 75 feet from the
84.11 ordinary high water level. A 15-foot strip for lake access and a dock is allowed.

84.12 (c) The land to be sold is located in Mahnomen County and is described as:
84.13 Beginning at the northeast corner of Lot 1; thence 28 rods West to the point of
84.14 beginning; thence West 7 rods; thence South to the shoreline of North Twin Lake 9 rods,
84.15 more or less; thence southeast on the shoreline to a point South of the point of beginning;
84.16 thence North 16 rods, more or less, to the point of beginning, all in Section 29, Township
84.17 144 North, Range 39 West (parcel number R16 029 0200).

84.18 (d) The county has determined that the county's land management interests would
84.19 best be served if the lands were returned to private ownership.

84.20 Sec. 21. **PRIVATE SALE OF SURPLUS STATE LAND; MARTIN COUNTY.**

84.21 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner
84.22 of natural resources may sell by private sale the surplus land that is described in paragraph
84.23 (c).

84.24 (b) The conveyance must be in a form approved by the attorney general. The
84.25 attorney general may make necessary changes to the legal description to correct errors
84.26 and ensure accuracy.

84.27 (c) The land that may be sold is located in Martin County and is described as: the
84.28 North 700 feet of a strip of land 100 feet in width extending over and across the West Half
84.29 of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section
84.30 25, Township 101 North, Range 32 West, Martin County, Minnesota. The centerline of
84.31 said strip being the centerline of the main track (now removed) of the Minnesota and Iowa
84.32 Railway Company, as said centerline was originally located and established over and
84.33 across said Section 25. This parcel contains 1.6 acres, more or less.

84.34 (d) The Department of Natural Resources has determined that the land is not needed
84.35 for natural resource purposes and that the state's land management interests would best

85.1 be served if the land were conveyed to the adjacent landowner to improve access to the
85.2 landowner's property.

85.3 Sec. 22. **EXCHANGE OF STATE LAND WITHIN LAKE MARIA WILDLIFE**
85.4 **MANAGEMENT AREA; MURRAY COUNTY.**

85.5 (a) The commissioner of natural resources may, with the approval of the Land
85.6 Exchange Board as required under the Minnesota Constitution, article XI, section 10, and
85.7 according to the provisions of Minnesota Statutes, sections 94.343 to 94.347, exchange
85.8 the land described in paragraph (b).

85.9 (b) The land that may be exchanged is located in Murray County and is described as:

85.10 (1) the North 866 feet of the South 1555 feet of the Southwest Quarter of Section 7,
85.11 Township 108, Range 41, lying West of the East 450 feet thereof;

85.12 (2) the South 689 feet of the Southwest Quarter of Section 7, Township 108, Range
85.13 41; and

85.14 (3) that part of the Northeast Quarter of Section 18, Township 108, Range 41,
85.15 described as follows: Commencing at the northwest corner of said Section 7, Township
85.16 108, Range 41; thence running easterly along the north line of said Section 7 a distance of
85.17 2,769.50 feet to the intersection with the centerline of the township road; thence southerly
85.18 along the centerline of said township road a distance of 2,653.75 feet; thence deflecting
85.19 00 degrees 31 minutes right and continuing along the centerline of said township road a
85.20 distance of 2,051.75 feet; thence easterly and parallel to the south line of the Southwest
85.21 Quarter of the Southeast Quarter of said Section 7, a distance of 464 feet; thence South
85.22 and parallel to the west line of the Northeast Quarter of said Section 18, a distance of
85.23 3,198.00 feet, to the south line of the Northeast Quarter of said Section 18, and the point
85.24 of beginning of the land to be described; thence return northerly, along the last described
85.25 course, a distance of 2,635 feet to the north line of said Northeast Quarter; thence
85.26 southwesterly, a distance of 999 feet, to a point on the west line of said Northeast Quarter,
85.27 distant 421.5 feet South of the northwest corner of said Northeast Quarter, thence South
85.28 along said west line, to the southwest corner of said Northeast Quarter; thence East, along
85.29 the south line of said Northeast Quarter, a distance of 910 feet to the point of beginning.

85.30 (c) The land was acquired in part with bonding appropriations. The exchange
85.31 with the adjacent landowner will provide additional wildlife acres and additional water
85.32 frontage to the state.

85.33 Sec. 23. **CONVEYANCE OF SURPLUS STATE LAND; ACQUISITION;**
85.34 **NICOLLET COUNTY.**

Subdivision 1. **Conveyance of surplus land.** (a) Notwithstanding Minnesota Statutes, sections 16B.281 to 16B.287, the commissioner of administration may upon recommendation of the commissioner of human services, convey to the city of St. Peter for no consideration the surplus land or any state interest in land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy. The commissioner of administration may grant utility easements for no consideration in conjunction with the conveyances under this section.

(c) The land to be sold is located in Nicollet County and is described as:

(1) all that part of the following described parcel lying westerly of the westerly right-of-way of Freeman Drive, formerly the Saint Peter and Belgrade Road.

Said parcel described as follows:

That part of Government Lot 6 in Section 29, Township 110 North, Range 26 West, city of Saint Peter, Nicollet County, Minnesota, described as:

Commencing at the northeast corner of said Section 29; thence South 00 degrees 29 minutes 46 seconds East, an assumed bearing on the east line of said Northeast Quarter, a distance of 1317.06 feet to the southeast corner of the Northeast Quarter of said Northeast Quarter; thence South 89 degrees 30 minutes 18 seconds West, on the south line of said Northeast Quarter of the Northeast Quarter, a distance of 918.73 feet to the point of beginning; thence South 64 degrees 37 minutes 16 seconds East, a distance of 178.6 feet, more or less, to the centerline of Freeman Drive, formerly the Saint Peter and Belgrade Road; thence northeasterly, on said centerline, a distance of 98.3 feet, more or less, to the north line of said Government Lot 6; thence South 89 degrees 30 minutes 18 seconds West, on said north line; a distance of 220.5 feet, more or less, to the point of beginning;

(2) all that part of the following described parcel lying easterly of the westerly right-of-way of Freeman Drive, formerly the Saint Peter and Belgrade Road.

Said parcel described as follows:

That part of Government Lot 6 in Section 29, Township 110 North, Range 26 West, city of Saint Peter, Nicollet County, Minnesota, described as:

Commencing at the northeast corner of said Section 29; thence South 00 degrees 29 minutes 46 seconds East, an assumed bearing on the east line of said Northeast Quarter, a distance of 1317.06 feet to the southeast corner of the Northeast Quarter of said Northeast Quarter; thence South 89 degrees 30 minutes 18 seconds West, on the south line of said Northeast Quarter of the Northeast Quarter, a distance of 918.73 feet to the point of beginning; thence South 64 degrees 37 minutes 16 seconds East, a distance of 178.6 feet,

87.1 more or less, to the centerline of Freeman Drive, formerly the Saint Peter and Belgrade
87.2 Road; thence northeasterly, on said centerline, a distance of 98.3 feet, more or less, to the
87.3 north line of said Government Lot 6; thence South 89 degrees 30 minutes 18 seconds West,
87.4 on said north line; a distance of 220.5 feet, more or less, to the point of beginning; and

87.5 (3) that part of the East 25.00 of a 150.00 foot wide railroad right-of-way acquired
87.6 in Book R page 338, in the Northeast Quarter of the Northeast Quarter of Section 29,
87.7 Township 110 North, Range 26 West, city of Saint Peter, Nicollet County, Minnesota,
87.8 lying South of the southerly right-of-way line of Minnesota Trunk Highway No. 99, per
87.9 MN/DOT Right-of-Way Map 31-68 and North of the following described line:

87.10 Commencing at the northeast corner of said Section 29; thence South 00 degrees 29
87.11 minutes 46 seconds East, an assumed bearing on the east line of said Northeast Quarter, a
87.12 distance of 1317.06 feet to the southeast corner of the Northeast Quarter of said Northeast
87.13 Quarter; thence South 89 degrees 30 minutes 18 seconds West, on the south line of said
87.14 Northeast Quarter of the Northeast Quarter, a distance of 918.73 feet; thence North 64
87.15 degrees 37 minutes 16 seconds West, a distance of 86.15 feet; thence northwesterly 127.21
87.16 feet on a tangential curve to the right, having a radius of 280.00 feet and a central angle of
87.17 26 degrees 01 minutes 59 seconds to the point of beginning of the line to be described;
87.18 thence continuing northwesterly 31.24 feet on said tangential curve to the right, having
87.19 a radius of 280.00 feet and a central angle of 06 degrees 23 minutes 34 seconds and
87.20 there terminating.

87.21 (d) The commissioner has determined that the land is no longer needed for any state
87.22 purpose and that the state's land management interests would best be served if the land
87.23 was conveyed to and used by the city of St. Peter.

87.24 Subd. 2. **Acquisition authority.** (a) Notwithstanding any law to the contrary, the
87.25 commissioner of administration, upon recommendation of the commissioner of human
87.26 services, may acquire from the city of St. Peter, without monetary consideration, land
87.27 located in Nicollet County, described as follows:

87.28 (1) that part of the Northeast Quarter of the Northeast Quarter of Section 29,
87.29 Township 110 North, Range 26 West, city of Saint Peter, Nicollet County, Minnesota:

87.30 Lying East of the east line of the 150.007 foot wide railroad right-of-way acquired in
87.31 Book R page 338, in said Northeast Quarter of the Northeast Quarter of Section 29;

87.32 AND

87.33 Lying South of the following described line:

87.34 Commencing at the northeast corner of said Section 29; thence South 00 degrees
87.35 29 minutes 46 seconds East, an assumed bearing on the east line of said Northeast
87.36 Quarter, a distance of 1317.06 feet to the southeast corner of the Northeast Quarter of said

Northeast Quarter; thence South 89 degrees 30 minutes 18 seconds West, on the south line of said Northeast Quarter of the Northeast Quarter, a distance of 918.73 feet to the point of beginning; thence North 64 degrees 37 minutes 16 seconds West, a distance of 86.15 feet; thence northwesterly 127.21 feet on a tangential curve to the right, having a radius of 280.00 feet and a central angle of 26 degrees 01 minutes 51 seconds to the point of termination. Said point of termination being on the east line of the previously referenced railroad right-of-way and there terminating; and

(2) that part of Government Lot 6 in Section 29, Township 110 North, Range 26 West, city of Saint Peter, Nicollet County, Minnesota described as:

Commencing at the northeast corner of said Section 29; thence South 00 degrees 29 minutes 46 seconds East, an assumed bearing on the east line of said Northeast Quarter, a distance of 1317.06 feet to the southeast corner of the Northeast Quarter of said Northeast Quarter; thence South 89 degrees 30 minutes 18 seconds West, on the south line of said Northeast Quarter of the Northeast Quarter, a distance of 918.73 feet; thence South 64 degrees 37 minutes 16 seconds East, a distance of 179 feet, more or less, to the centerline of Freeman Drive, formerly the Saint Peter and Belgrade Road, and the point of beginning; thence continuing South 64 degrees 37 minutes 16 seconds East, a distance of 25.8 feet, more or less, to the existing right-of-way of U.S. Highway No. 169, per Map 14-80; thence southwesterly along said right-of-way a distance of 91.7 feet, more or less, to the northerly line of a parcel recorded as Document No. 274882, Nicollet County records; thence northwesterly along the northerly line of said parcel a distance of 27.5 feet, more or less, to the centerline of said Freeman Drive; thence northeasterly along said centerline a distance of 93.2 feet, more or less, to the point of beginning.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to legal descriptions to correct errors and ensure accuracy.

Sec. 24. CONVEYANCE OF SURPLUS STATE LAND; OLMSTED COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources shall convey to the city of Oronoco for no consideration the surplus land that is described in paragraph (c).

(b) The conveyance shall occur upon the operation of the reversion clause contained in the deed for the land described in paragraph (c) in accordance with Minnesota Statutes 1965, section 85.188, and after the passage of resolutions by the Olmsted County Board and the Oronoco City Council, each acknowledging that the requirements set forth in the Agreement for Transfer of Oronoco Park in the City of Oronoco to the City of Oronoco

89.1 by Olmsted County have been sufficiently met to proceed with the conveyance. The
89.2 conveyance must be in a form approved by the attorney general, the Olmsted County
89.3 Board, and the Oronoco City Council. The conveyance must provide that the land reverts
89.4 to the state if the city of Oronoco fails to maintain and operate the land as a public park.
89.5 The attorney general may make changes to the land description to correct errors and
89.6 ensure accuracy.

89.7 (c) The land to be conveyed is located in Olmsted County and is described as:

89.8 (1) the East Half of the West Half of the Southeast Quarter of the Southeast Quarter,
89.9 Section 7, Township 108 North, Range 14 West, subject to flowage rights in favor of
89.10 Olmsted County; and

89.11 (2) the East Half of the Southeast Quarter of the Southeast Quarter, Section 7,
89.12 Township 108 North, Range 14 West.

89.13 (d) The land is currently owned by Olmsted County and used as a public park,
89.14 having been conveyed by the state according to Laws 1965, chapter 810, section 9. The
89.15 1965 law and the corresponding conveyance document require reversion to the state if
89.16 the county stops operating the land as a public park. Olmsted County no longer wishes
89.17 to operate the public park, but the city of Oronoco has agreed to pay consideration to
89.18 Olmsted County to continue the park operation. The commissioner has determined that
89.19 the state's land management interests would best be served if, upon the land's reversion to
89.20 the state, the land was conveyed to and used by the city of Oronoco as a public park.

89.21 Sec. 25. **PRIVATE SALE OF TAX-FORFEITED LAND; PINE COUNTY.**

89.22 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282,
89.23 or other law to the contrary, Pine County may sell by private sale the tax-forfeited land
89.24 described in paragraph (c).

89.25 (b) The conveyance must be in a form approved by the attorney general. The attorney
89.26 general may make changes to the land description to correct errors and ensure accuracy.

89.27 (c) The land to be sold is located in Pine County and is described as: the East 132
89.28 feet of the Northeast Quarter of the Southeast Quarter of Section 11, Township 42 North,
89.29 Range 17 West, Wilma Township, Pine County, Minnesota, subject to a public road
89.30 easement over, under, and across the West 66 feet thereof, and the East 132 feet of the
89.31 Southeast Quarter of the Northeast Quarter of Section 11, Township 42 North, Range 17
89.32 West, Wilma Township, Pine County, Minnesota, subject to a public road easement over,
89.33 under, and across the West 66 feet thereof.

90.1 (d) The county has determined that the county's land management interests would
90.2 best be served if the lands were returned to private ownership. The county will be able to
90.3 access adjacent tax-forfeited property by the public road easement.

90.4 Sec. 26. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
90.5 **WATER; ROSEAU COUNTY.**

90.6 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
90.7 resources may sell by public sale the surplus land bordering public water that is described
90.8 in paragraph (c).

90.9 (b) The conveyance must be in a form approved by the attorney general. The
90.10 attorney general may make necessary changes to the legal description to correct errors
90.11 and ensure accuracy.

90.12 (c) The land that may be sold is located in Roseau County and is described as:
90.13 Government Lot 9, Section 30, Township 163 North, Range 36 West, containing 0.15
90.14 acres, more or less.

90.15 (d) The land borders the Warroad River and is not contiguous to other state lands.
90.16 The Department of Natural Resources has determined that the land is not needed for
90.17 natural resource purposes.

90.18 Sec. 27. **PUBLIC OR PRIVATE SALE OF CONSOLIDATED CONSERVATION**
90.19 **LAND; ROSEAU COUNTY.**

90.20 (a) Notwithstanding the classification and public sale provisions of Minnesota
90.21 Statutes, chapters 84A and 282, Roseau County may sell by public or private sale the
90.22 consolidated conservation lands that are described in paragraph (c).

90.23 (b) The conveyance must be in a form approved by the attorney general. The
90.24 attorney general may make necessary changes to the legal description to correct errors
90.25 and ensure accuracy. The consideration for the conveyance must be for no less than the
90.26 appraised value of the land and timber and survey costs. Proceeds shall be disposed of
90.27 according to Minnesota Statutes, chapter 84A.

90.28 (c) The land that may be sold is located in Roseau County and is described as:

90.29 (1) that part of Government Lot 1, Section 4, Township 162 North, Range 36 West,
90.30 lying southwesterly of the southwesterly right-of-way of the Canadian National Railway.
90.31 Subject to the right-of-way of State Highway 11. Contains 0.75 acres, more or less; and

90.32 (2) the South Half of the South Half of the Southeast Quarter of the Northwest
90.33 Quarter, Section 34, Township 159 North, Range 39 West, containing 10 acres, more or
90.34 less.

91.1 (d) The lands are not contiguous to other state lands. The Department of Natural
91.2 Resources has determined that the land is not needed for natural resource purposes.

91.3 Sec. 28. **PRIVATE SALE OF TAX-FORFEITED LAND; ROSEAU COUNTY.**

91.4 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282,
91.5 or other law to the contrary, Roseau County may sell by private sale the tax-forfeited
91.6 land described in paragraph (c) under the remaining provisions of Minnesota Statutes,
91.7 chapter 282.

91.8 (b) The conveyance must be in a form approved by the attorney general. The attorney
91.9 general may make changes to the land description to correct errors and ensure accuracy.

91.10 (c) The land to be sold is located in Roseau County and is described as: the
91.11 Northwest Quarter of the Northeast Quarter and the Southeast Quarter of the Southeast
91.12 Quarter, Section 20, Township 163, Range 36.

91.13 (d) The county has determined that the county's land management interests would
91.14 best be served if the lands were returned to private ownership.

91.15 Sec. 29. **PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

91.16 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282,
91.17 or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited
91.18 land described in paragraph (c).

91.19 (b) The conveyance must be in a form approved by the attorney general. The attorney
91.20 general may make changes to the land description to correct errors and ensure accuracy.

91.21 (c) The land to be sold is located in St. Louis County and is adjacent to a parcel
91.22 described as: that part of the Northeast Quarter of the Southwest Quarter beginning on the
91.23 east line at the southerly road right-of-way; thence southerly along the east line 760.07
91.24 feet; thence South 89 degrees 3 minutes 23 seconds West 290 feet; thence North 1 degree
91.25 12 minutes 54 seconds East 764.79 feet; thence East along the southerly road right-of-way
91.26 290 feet to the point of beginning, Section 20, Township 58 North, Range 15 West. St.
91.27 Louis County shall sell an adjoining amount of land, determined by the county to rectify
91.28 an inadvertent trespass. The sale will ensure that the buildings causing the inadvertent
91.29 trespass will meet all setback requirements.

91.30 (d) The county has determined that the county's land management interests would
91.31 best be served if the lands were returned to private ownership.

91.32 Sec. 30. **PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

92.1 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282,
92.2 or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited
92.3 land described in paragraph (c).

92.4 (b) The conveyances must be in a form approved by the attorney general. The
92.5 attorney general may make changes to the land descriptions to correct errors and ensure
92.6 accuracy.

92.7 (c) The land to be sold is located in St. Louis County and is described as:

92.8 (1) Lot 90, Block 75, Duluth Proper Third Division, except the West six feet of the
92.9 South 50 feet of the West Half, Section 28, Township 50 North, Range 14 West;

92.10 (2) the northerly 100 feet of the Southwest Quarter of the Southwest Quarter, except
92.11 the westerly 233 feet, and except the easterly 50 feet of the westerly 283 feet, Section
92.12 14, Township 51 North, Range 13 West;

92.13 (3) the South 150 feet of the Northeast Quarter of the Southeast Quarter, Section 5,
92.14 Township 55 North, Range 18 West;

92.15 (4) the West 33 feet of the North 208 feet of the South 1,040 feet of the Northwest
92.16 Quarter of the Northeast Quarter, Section 7, Township 60 North, Range 13 West;

92.17 (5) the North 36 feet of the North 1,076 feet of the West 449 feet of the Northwest
92.18 Quarter of the Northeast Quarter, Section 7, Township 60 North, Range 13 West;

92.19 (6) the West 33 feet of the North 208 feet of the South 832 feet of the Northwest
92.20 Quarter of the Northeast Quarter, Section 7, Township 60 North, Range 13 West;

92.21 (7) the West 33 feet of the North 208 feet of the South 624 feet of the Northwest
92.22 Quarter of the Northeast Quarter, Section 7, Township 60 North, Range 13 West;

92.23 (8) the West 33 feet of the South 416 feet of the Northwest Quarter of the Northeast
92.24 Quarter, Section 7, Township 60 North, Range 13 West; and

92.25 (9) part of the South Half of the Southwest Quarter, Section 20, Township 58 North,
92.26 Range 15 West.

92.27 (d) The county has determined that the county's land management interests would
92.28 best be served if the lands were returned to private ownership.

92.29 **Sec. 31. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
92.30 **WATER; ST. LOUIS COUNTY.**

92.31 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision
92.32 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County
92.33 may sell by private sale the tax-forfeited land bordering public water that is described in
92.34 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

93.1 (b) The conveyances must be in a form approved by the attorney general. The
93.2 attorney general may make changes to the land descriptions to correct errors and ensure
93.3 accuracy.

93.4 (c) The land to be sold is located in St. Louis County and is described as:

93.5 (1) Lot 4, Block 4, Greenwood Beach, town of Duluth, Section 19, Township 51
93.6 North, Range 19 West;

93.7 (2) beginning at the southwest corner of Lot 4, running thence East 450 feet; thence
93.8 North 200 feet; thence West 450 feet; thence South along the section line 200 feet to the
93.9 point of beginning, except the northerly 40 feet, Section 7, Township 54 North, Range
93.10 19 West;

93.11 (3) the South 560 feet of the East 300 feet of the Northeast Quarter of the Southeast
93.12 Quarter, except the highway right-of-way and except the North 315 feet, Section 22,
93.13 Township 61 North, Range 20 West;

93.14 (4) an undivided 1/24 interest in the Southeast Quarter of the Northwest Quarter,
93.15 Section 8, Township 50 North, Range 18 West;

93.16 (5) an undivided 2/15 interest in the Southwest Quarter of the Northwest Quarter,
93.17 Section 20, Township 50 North, Range 18 West;

93.18 (6) an undivided 1/3 interest in the Southwest Quarter of the Southeast Quarter,
93.19 Section 21, Township 50 North, Range 18 West;

93.20 (7) an undivided 1/45 interest in the Northeast Quarter of the Southeast Quarter,
93.21 Section 29, Township 50 North, Range 18 West;

93.22 (8) an undivided 1/12 interest in the Northeast Quarter of the Northwest Quarter,
93.23 Section 25, Township 50 North, Range 19 West;

93.24 (9) an undivided 1/12 interest in the Southeast Quarter of the Northwest Quarter,
93.25 Section 25, Township 50 North, Range 19 West;

93.26 (10) an undivided 1369/68040 interest in Lot 8, except the railway right-of-way,
93.27 Section 28, Township 51 North, Range 18 West; and

93.28 (11) that part of the Southeast Quarter of the Northeast Quarter of Section 10,
93.29 Township 63 North, Range 18 West, St. Louis County, Minnesota, described as follows:

93.30 Assuming the northeast line of Lot 9 in the plat of MANNIKKO (PINE RIDGE) to
93.31 bear North 54 degrees 11 minutes 00 seconds West, and COMMENCING from the most
93.32 northerly corner of said Lot 9 run North 28 degrees 12 minutes 30 seconds East, a distance
93.33 of 107.39 feet; thence South 28 degrees 12 minutes 30 seconds West, a distance of 28.19
93.34 feet; thence South 86 degrees 24 minutes 10 seconds West, a distance of 82.17 feet; thence
93.35 South 77 degrees 07 minutes 31 seconds West, a distance of 77.70 feet; thence South 82
93.36 degrees 40 minutes 33 seconds West, a distance of 83.09 feet; thence South 71 degrees 26

minutes 45 seconds West, a distance of 190.55 feet; thence North 70 degrees 55 minutes 26 seconds West, a distance of 76.14 feet to a point on a nontangential curve, the center of which bears North 35 degrees 10 minutes 49 seconds West, being also a point on the east right-of-way of "Phillips Road" as it exists in January of 1995; thence northerly along said east right-of-way, on said nontangential curve, concave to the West, central angle of 88 degrees 57 minutes 37 seconds, radius of 90.00 feet, a distance of 139.74 feet; thence North 34 degrees 08 minutes 26 seconds west, along said east right-of-way, a distance of 105.00 feet to a tangential curve; thence northerly along said east right-of-way on said tangential curve, concave to the East, central angle 69 degrees 38 minutes 31 seconds, radius 68.00 feet, a distance of 82.65 feet to a point of reverse curve; thence northerly along said east right-of-way, on said reverse curve, concave to the West, central angle of 18 degrees, more or less, radius of 116.25 feet, a distance of 36.5 feet, more or less, to the south line of said Southeast Quarter of the Northeast Quarter and the POINT OF BEGINNING of the land being described; thence northerly, continuing along said curve, a distance of 96.2 feet; thence North 29 degrees 54 minutes 20 seconds West, tangent to said curve and along said east right-of-way, a distance of 16.32 feet; thence South 89 degrees 42 minutes 44 seconds East, a distance of 943.3 feet, more or less, to the east line of said Southeast Quarter of the Northeast Quarter; thence southerly, along said east line, a distance of 30 feet, more or less, to the shore of Lake Vermilion; thence southerly, along said shore, a distance of 100 feet, more or less, to the south line of said Southeast Quarter of the Northeast Quarter; thence westerly, along said south line, a distance of 880 feet, more or less, to the POINT OF BEGINNING. Containing 2.5 acres, more or less.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 32. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy. Prior to the sales, the commissioner of revenue shall grant permanent conservation easements according to Minnesota Statutes, section 282.37. The easements shall be up to 200 feet in width, lying 100 feet, to the extent possible given the location

of property lines, on each side of the centerline of the designated trout stream to provide riparian protection and angler access.

(c) The land to be sold is located in St. Louis County and is described as:

(1) Lot 22, Block 1, Wonderland 1st Addition, town of Duluth, except the highway right-of-way and including part of the adjacent vacated road, Section 17, Township 51 North, Range 12 West; and

(2) that part of the southerly 135 feet of the northerly 543 feet of the Northwest Quarter of the Southwest Quarter lying East of the westerly 968 feet and West of the Sucker River, Section 30, Township 52 North, Range 12 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 33. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, St. Louis County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The land to be sold is located in St. Louis County and is described as:

(1) the East Half of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter, Section 25, Township 51 North, Range 14 West, subject to an existing easement;

(2) the North 407 feet of that part of Lot 4 lying South of the east and west centerline of Section 20, Section 20, Township 51 North, Range 16 West;

(3) Lots 1, 2, and 3, Childs Birch Grove Tracts, Grand Lake, Section 20, Township 51 North, Range 16 West;

(4) Lots 28 and 29, Briar Lake Shores 3rd Addition, North Star, Section 15, Township 53 North, Range 13 West; and

(5) the East Half of the Southeast Quarter of the Northwest Quarter, Section 26, Township 60 North, Range 17 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 34. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, St. Louis County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy. Prior to the sales, the commissioner of revenue shall grant permanent conservation easements according to Minnesota Statutes, section 282.37. The easements shall be up to 200 feet in width, lying 100 feet, to the extent possible given the location of property lines, on each side of the centerline of the designated trout stream to provide riparian protection and angler access. For the parcels described in paragraph (c), clauses (6) and (7), a 33-foot strip across the easement shall be allowed for road access and utilities.

(c) The land to be sold is located in St. Louis County and is described as:

(1) the Southwest Quarter of the Southeast Quarter, except 4.56 acres for a road and except that part lying South and West of Highway 2, Section 8, Township 50 North, Range 16 West;

(2) the East Half of the Northeast Quarter of the Northwest Quarter, except the railway right-of-way and except the highway right-of-way, Section 17, Township 51 North, Range 12 West;

(3) the West Half of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter, Section 25, Township 51 North, Range 14 West;

(4) the West Half of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter, Section 25, Township 51 North, Range 14 West;

(5) the West five acres of the South 15 acres of the North 30 acres of the Northeast Quarter of the Southeast Quarter, Section 27, Township 51 North, Range 14 West;

(6) the East Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter, Section 27, Township 51 North, Range 14 West; and

(7) the East Half of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter, except the West 25 feet, Section 27, Township 51 North, Range 14 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 35. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, St. Louis County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy. Prior to the sales, the commissioner of revenue shall grant permanent conservation easements according to Minnesota Statutes, section 282.37. The easements shall be 150 feet in width, lying 75 feet on each side of the centerline of the stream to provide riparian protection and angler access. For the parcel described in paragraph (c), clause (4), a 33-foot strip across the easement shall be allowed for road access and utilities.

(c) The land to be sold is located in St. Louis County and is described as:

(1) the Northwest Quarter of the Southeast Quarter, except the North Half, Section 15, Township 50 North, Range 15 West;

(2) the Southeast Quarter of the Northeast Quarter, Section 19, Township 53 North, Range 20 West;

(3) the westerly 330 feet of the South Half of the Northwest Quarter of the Southwest Quarter, Section 11, Township 56 North, Range 20 West; and

(4) the Southwest Quarter of the Southwest Quarter, except the South Half of the Southwest Quarter of the Southwest Quarter and except the North ten acres, Section 34, Township 50 North, Range 15 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 36. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, St. Louis County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy. Prior to the sales, the commissioner of revenue shall grant permanent conservation easements according to Minnesota Statutes, section 282.37. For the parcel described in paragraph (c), clause (1), the easement must be 100 feet in width from the centerline of the designated trout stream to provide riparian protection and angler access. For the parcel described in paragraph (c), clause (2), the easement must be 200 feet in width from the centerline of the stream to provide riparian protection and angler access.

(c) The land to be sold is located in St. Louis County and is described as:

(1) Lots 511 through 515, Homecroft Park, town of Rice Lake, Section 34, Township 51 North, Range 14 West; and

(2) that part of the Lot 2 lying East of a line parallel with and 150 feet East of the centerline of the Duluth, Missabe and Iron Range Railway, Section 17, Township 51 North, Range 17 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 37. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, St. Louis County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy. The conveyance must include a deed restriction that prohibits buildings, structures, tree cutting, removal of vegetation, and shoreland alterations within an area 100 feet in width, lying 50 feet on each side of the centerline of streams that are tributaries to the Sand River.

(c) The land to be sold is located in St. Louis County and is described as: the North 416 feet of the East 416 feet of the Southwest Quarter of the Southwest Quarter, Section 10, Township 59 North, Range 17 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 38. **PRIVATE SALE OF SURPLUS STATE LAND; WASHINGTON COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell to a political subdivision by private sale the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Washington County and is described as:

(1) that part of the Northwest Quarter of the Northwest Quarter of Section 19, Township 32, Range 21, lying South of the centerline of Highway 97; and

(2) that part of the Southwest Quarter of Section 19, Township 32 North, Range 21 West, Washington County, Minnesota, described as follows: beginning at the southwest corner of said Southwest Quarter; thence on an assumed bearing of South 89 degrees

99.1 50 minutes 33 seconds East along the south line of said Southwest Quarter 1555.59
99.2 feet; thence North 11 degrees 40 minutes 58 seconds East 720.70 feet; thence North 53
99.3 degrees 20 minutes 40 seconds West 436.77 feet; thence North 45 degrees 10 minutes 18
99.4 seconds West 222.72 feet to the southerly boundary of the recorded plat of BASSWOOD
99.5 ESTATES, on file and of record in the Office of the County Recorder; thence westerly
99.6 along the southerly boundary of said BASSWOOD ESTATES to the southwesterly corner
99.7 thereof; thence northerly along the westerly boundary of said BASSWOOD ESTATES to
99.8 the most northerly corner of Lot 2 of Block 3 of said BASSWOOD ESTATES; thence
99.9 westerly to a point on the west line of said Southwest Quarter 407.50 feet southerly of
99.10 the northwest corner of said Southwest Quarter; thence South 00 degrees 23 minutes 19
99.11 seconds East along the west line of said Southwest Quarter 2238.63 feet to the point
99.12 of beginning.

99.13 These parcels contain 57.2 acres, more or less.

99.14 (d) The Department of Natural Resources has determined that the state's land
99.15 management interests would best be served if the land was conveyed to a political
99.16 subdivision. A political subdivision would like to use these parcels as wetland mitigation
99.17 sites.

99.18 (e) This sale is the result of the intent expressed by of the city of Columbus and
99.19 Anoka County to allow the commissioner of natural resources to replace the approximately
99.20 57 acres of land with land adjacent to the Carlos Avery Wildlife Management Area from
99.21 willing sellers as identified in the November 19, 2007, Department of Natural Resources'
99.22 land acquisition plan.

99.23 **Sec. 39. PRIVATE SALE OF SURPLUS STATE LAND; WASHINGTON**
99.24 **COUNTY.**

99.25 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner
99.26 of natural resources may sell by private sale the surplus land that is described in paragraph
99.27 (c).

99.28 (b) The conveyance must be in a form approved by the attorney general. The
99.29 attorney general may make necessary changes to the legal description to correct errors
99.30 and ensure accuracy.

99.31 (c) The land that may be sold is located in Washington County and is described
99.32 as: the West 750 feet of the East 1,130.6 feet of the North 786.72 feet of the Northwest
99.33 Quarter of the Northeast Quarter of Section 15, Township 29 North, Range 20 West,
99.34 containing 13.5 acres, more or less.

100.1 (d) The Department of Natural Resources has determined that the land is not needed
100.2 for natural resource purposes. The state's land management interests would best be served
100.3 if the land was sold to an adjacent landowner, as the property described in paragraph (c)
100.4 does not have legal access to a public road.

100.5 Sec. 40. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
100.6 **WATER; WASHINGTON COUNTY.**

100.7 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
100.8 and the public sale provisions of Minnesota Statutes, chapter 282, Washington County
100.9 may sell by private sale or convey for no consideration to the United States of America,
100.10 acting through the United States National Park Service, Department of the Interior, the
100.11 tax-forfeited land bordering public water that is described in paragraph (c), under the
100.12 remaining provisions of Minnesota Statutes, chapter 282.

100.13 (b) The conveyance must be in a form approved by the attorney general. The attorney
100.14 general may make changes to the land description to correct errors and ensure accuracy.

100.15 (c) The land to be sold is located in Washington County and is described as:

100.16 (1) Parcel A (PIN 29.031.19.22.0001): Section 29, Township 31, Range 19,
100.17 Government Lot 5;

100.18 (2) Parcel B (PIN 20.031.19.22.0001): Section 20, Township 31, Range 19,
100.19 Government Lot 5;

100.20 (3) Parcel C (PIN 17.031.19.32.0001): Section 17, Township 31, Range 19,
100.21 Government Lot 4;

100.22 (4) Parcel D (PIN 18.032.19.11.0001): Section 18, Township 32, Range 19,
100.23 Government Lot 2; and

100.24 (5) Parcel E (PIN 18.032.19.14.0001): Section 18, Township 32, Range 19,
100.25 Government Lot 3.

100.26 (d) The county has determined that the county's land management interests would
100.27 best be served if the lands were sold or conveyed to the United States of America and
100.28 managed by the National Park Service.

100.29 Sec. 41. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
100.30 **WATER; WASHINGTON COUNTY.**

100.31 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
100.32 and the public sale provisions of Minnesota Statutes, chapter 282, Washington County
100.33 may sell by private sale the tax-forfeited land bordering public water that is described in
100.34 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Washington County and is described as: Parcel A (PIN 09.032.21.43.0070): Lot 8, Block 3, excepting therefrom the East 200 feet thereof of Skoglund's Park Addition, as surveyed and platted and now on file and of record in the Office of the Registrar of Titles of said County of Washington, State of Minnesota.

(d) The sale would be to an adjacent landowner and the Department of Natural Resources has determined that the land is not appropriate for the department to manage. The county may split the parcel described in paragraph (c), as allowed in Minnesota Statutes, section 282.01, and sell the resulting parcels if the county finds a split to be advantageous for the purpose of sale.

Sec. 42. **CONVEYANCE OF DRAINAGE DISTRICT LAND; WINONA COUNTY.**

The Rushford Area Drainage and Conservancy District, established by order of the Tenth Judicial District Court on February 20, 1953, was terminated on January 1, 1988, by Laws 1987, chapter 239, section 140. The land that was owned by the Rushford Area Drainage and Conservancy District in Winona County is now owned by the state of Minnesota and is hereby transferred to the commissioner of natural resources for administration and management for conservation purposes.

Sec. 43. **DEPOSIT OF PROCEEDS.**

Notwithstanding Minnesota Statutes, section 97A.055, subdivision 1, the proceeds resulting from the 2010 sale of a transportation road easement on the Lamprey Pass Wildlife Management Area to construct a road overpass on County Road 83 in Washington County shall be deposited in the land acquisition account, established under Minnesota Statutes, section 94.165.

Sec. 44. **EFFECTIVE DATE.**

Sections 10 to 42 are effective the day following final enactment.

ARTICLE 6

ENERGY

Section 1. Minnesota Statutes 2008, section 3.8851, subdivision 7, is amended to read:

Subd. 7. **Assessment; appropriation.** (a) Upon request by the cochairs of the commission, the commissioner of commerce shall assess the amount requested for the

102.1 operation of the commission, not to exceed \$250,000 in a fiscal year, from the following
102.2 sources:

102.3 (1) 50 percent of the assessment must come from all public utilities, municipal
102.4 utilities, electric cooperative associations, generation and transmission cooperative electric
102.5 associations, and municipal power agencies providing electric or natural gas services
102.6 in Minnesota; and

102.7 (2) 50 percent of the assessment must come from all bulk terminals located in this
102.8 state from which petroleum products and liquid petroleum gas are dispensed for sale in
102.9 this state.

102.10 (b) The commissioner of commerce shall apportion the assessment amount requested
102.11 among the entities in paragraph (a), ~~clauses~~ clause (1) and (2), in proportion to their
102.12 respective gross operating revenues from energy sold within the state during the most
102.13 recent calendar year, ~~while ensuring that wholesale and retail sales are not double counted.~~

102.14 (c) The commissioner of commerce shall apportion the assessment amount requested
102.15 equally among the referenced entities in paragraph (a), clause (2).

102.16 ~~(c)~~ (d) The entities in paragraph (a), ~~clauses~~ clause (1) and (2), must provide
102.17 information to the commissioner of commerce to allow for calculation of the assessment.

102.18 ~~(d)~~ (e) The assessments under this subdivision are in addition to assessments made
102.19 under section 216B.62. The amount assessed under this section ~~is~~ must be deposited in
102.20 the legislative energy commission account in the special revenue fund. Funds in the
102.21 legislative energy commission account are appropriated to the director of the Legislative
102.22 Coordinating Commission for the purposes of this section, and ~~is~~ are available until
102.23 expended. Utilities selling gas and electric service at retail must be assessed and billed
102.24 in accordance with the procedures provided in section 216B.62, to the extent that these
102.25 procedures do not conflict with this subdivision.

102.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.

102.27 Sec. 2. **[116C.7791] SOLAR PHOTOVOLTAIC MODULE REBATE PROGRAM.**

102.28 **Subdivision 1. Definitions.** For the purpose of this section, the following terms
102.29 have the meaning given.

102.30 (a) "Installation" means an array of solar photovoltaic modules attached to a building
102.31 that will use the electricity generated by the solar photovoltaic modules or placed on a
102.32 facility or property proximate to that building.

102.33 (b) "Manufactured" means the material production of solar photovoltaic modules,
102.34 including the tabbing, stringing, and lamination processes or any existing Minnesota

manufacturer that produces the interconnection of low-voltage solar photo-active elements so as to produce the final useful photovoltaic output.

(c) "Qualified owner" means an owner of a residence, multifamily residence, business, or publicly owned building located in the assigned service area of the utility subject to Minnesota Statutes, section 116C.779, but does not include an entity engaged in the business of generating or selling electricity at retail, or an unregulated subsidiary of such an entity.

(d) "Solar photovoltaic module" means the smallest, nondivisible, self-contained physical structure housing interconnected photovoltaic cells and providing a single direct current of electrical output.

Subd. 2. **Establishment.** The commissioner of commerce shall establish a program consistent with this section to provide rebates to a qualified owner for installing solar photovoltaic modules manufactured in Minnesota after December 31, 2009.

Subd. 3. **Rebate eligibility.** (a) To be eligible for a rebate under this section, a solar module:

(1) must be manufactured in Minnesota;

(2) must be installed as part of a system whose generating capacity does not exceed 100 kilowatts;

(3) must be certified by Underwriters Laboratory, or must have received the ETL listed mark from Intertek, or must have an equivalent certification from an independent testing agency;

(4) may or may not be connected to a utility grid;

(5) must be installed by a person certified as a solar photovoltaic installer by the North American Board of Certified Energy Practitioners; and

(6) may not be used to sell, transmit, or distribute the electrical energy at retail and may not provide for end use from an off-site facility of the electrical energy. On-site generation is allowed to the extent provided for in Minnesota Statutes, section 216B.1611.

(b) To be eligible for a rebate under this section, an applicant must have applied for and been awarded a rebate or other form of financial assistance available exclusively to owners of properties on which solar photovoltaic modules are installed that is offered by:

(1) the utility serving the property on which the solar photovoltaic modules are to be installed; or

(2) this state, under an authority other than this section.

(c) An applicant who is otherwise ineligible for a rebate under paragraph (b) is eligible if the applicant's failure to be awarded a rebate or other form of financial assistance is due solely to a lack of available funds from a utility or the state.

104.1 Subd. 4. **Rebate amount and payment.** (a) The amount of a rebate under
104.2 this section is the difference between the sum of all rebates described in subdivision
104.3 3, paragraph (b), awarded to the applicant and an amount not to exceed \$5 per watt of
104.4 installed generating capacity.

104.5 (b) Notwithstanding paragraph (a), the amount of all rebates or other forms of
104.6 financial assistance from a utility and the state, net of applicable federal income taxes
104.7 applied at the highest applicable income tax rates, including any rebate paid under this
104.8 section, shall not exceed 60 percent of the total installed cost.

104.9 (c) Rebates must be awarded to eligible applicants beginning July 1, 2010.

104.10 (d) The rebate must be paid out proportionately in five consecutive annual
104.11 installments.

104.12 Subd. 5. **Rebate program funding.** (a) The following amounts must be allocated
104.13 from the renewable development account established in section 116C.779 to the
104.14 commissioner of commerce and are appropriated for the solar photovoltaic module rebate
104.15 program in this section:

104.16 (1) \$2,000,000 in fiscal year 2011;

104.17 (2) \$4,000,000 in fiscal year 2012;

104.18 (3) \$5,000,000 in fiscal year 2013;

104.19 (4) \$5,000,000 in fiscal year 2014; and

104.20 (5) \$5,000,000 in fiscal year 2015.

104.21 (b) The amounts allocated are available until the money is expended.

104.22 **EFFECTIVE DATE.** This section is effective the day following final enactment.

104.23 Sec. 3. Minnesota Statutes 2008, section 116J.437, subdivision 1, is amended to read:

104.24 Subdivision 1. **Definitions.** (a) For the purpose of this section, the following terms
104.25 have the meanings given.

104.26 (b) "Green economy" means products, processes, methods, technologies, or services
104.27 intended to do one or more of the following:

104.28 (1) increase the use of energy from renewable sources, including through achieving
104.29 the renewable energy standard established in section 216B.1691;

104.30 (2) achieve the statewide energy-savings goal established in section 216B.2401,
104.31 including energy savings achieved by the conservation investment program under section
104.32 216B.241;

104.33 (3) achieve the greenhouse gas emission reduction goals of section 216H.02,
104.34 subdivision 1, including through reduction of greenhouse gas emissions, as defined in

section 216H.01, subdivision 2, or mitigation of the greenhouse gas emissions through, but not limited to, carbon capture, storage, or sequestration;

(4) monitor, protect, restore, and preserve the quality of surface waters, including actions to further the purposes of the Clean Water Legacy Act as provided in section 114D.10, subdivision 1; ~~or~~

(5) expand the use of biofuels, including by expanding the feasibility or reducing the cost of producing biofuels or the types of equipment, machinery, and vehicles that can use biofuels, including activities to achieve the biofuels 25 by 2025 initiative in sections 41A.10, subdivision 2, and 41A.11; or

(6) increase the use of green chemistry, as defined in section 116.9401.

For the purpose of clause (3), "green economy" includes strategies that reduce carbon emissions, such as utilizing existing buildings and other infrastructure, and utilizing mass transit or otherwise reducing commuting for employees.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 4. Minnesota Statutes 2008, section 216B.62, is amended by adding a subdivision to read:

Subd. 3a. **Supplemental staffing assessment.** In addition to other assessments in subdivision 3, the commission may assess up to \$800,000 per year for supplemental staffing to implement requirements of this chapter. The amount in this subdivision shall be assessed to the several public utilities in proportion to their respective gross operating revenues from retail sales of gas or electric service within the state during the last calendar year, shall be deposited into an account in the special revenue fund, and appropriated to the commission. An assessment made under this subdivision is not subject to the cap on assessments provided in subdivision 3 or any other law.

Sec. 5. Laws 2009, chapter 37, article 2, section 13, is amended to read:

Sec. 13. APPROPRIATIONS; CANCELLATIONS.

(a) The remaining balance of the fiscal year 2009 special revenue fund appropriation for the Green Jobs Task Force under Laws 2008, chapter 363, article 6, section 3, subdivision 4, is transferred and appropriated to the commissioner of employment and economic development for the purposes of green enterprise assistance under Minnesota Statutes, section 116J.438. This appropriation is available until spent.

(b) The unencumbered balance of the fiscal year 2008 appropriation to the commissioner of commerce for the rural and energy development revolving loan

fund under Laws 2007, chapter 57, article 2, section 3, subdivision 6, is canceled and reappropriated to the commissioner of commerce as follows:

(1) \$1,500,000 is for a grant to the Board of Trustees of the Minnesota State Colleges and Universities for the International Renewable Energy Technology Institute (IRETI) to be located at Minnesota State University, Mankato, as a public and private partnership to support applied research in renewable energy and energy efficiency to aid in the transfer of technology from Sweden to Minnesota and to support technology commercialization from companies located in Minnesota and throughout the world; and

(2) the remaining balance is for a grant to the Board of Regents of the University of Minnesota for the initiative for renewable energy and the environment to fund start up costs related to a national solar testing and certification laboratory to test, rate, and certify the performance of equipment and devices that utilize solar energy for heating and cooling air and water and for generating electricity.

This appropriation is available until expended.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 6. **NEIGHBORHOOD ENERGY PLANNING AND IMPLEMENTATION PROCESS.**

Subdivision 1. Project. The utility subject to Minnesota Statutes, section 116C.779, shall transfer \$80,000 from the renewable development account established under that section to the commissioner of commerce, who shall deposit it in the special revenue fund for a grant to the Clean Energy Resource Team serving the Twin Cities to organize and implement a community planning process that will produce and implement a comprehensive plan to promote investments in energy conservation and renewable energy in the following Minnesota neighborhoods:

(1) a neighborhood located within one mile of a below-grade bike and walking path more than four miles long that connects with other bike paths along a river, and whose population density exceeds 8,000 persons per square mile; and

(2) a neighborhood that is south of Burlington Northern Santa Fe railway lines and within one mile of a state trunk highway, located within one mile of a county border, that connects two interstate highways that cross the same river.

The planning process must seek to maximize the participation of neighborhood building owners and renters, businesses, churches, other neighborhood institutions, local hospitals, the utility serving the neighborhood, and the city in which the neighborhoods are located. The Clean Energy Resource Team shall contact representatives of similar successful

107.1 planning processes in other states to benefit from their experience and to learn about best
107.2 practices that can be replicated in Minnesota.

107.3 Subd. 2. **Appropriation.** \$80,000 from the money deposited in the special revenue
107.4 fund under subdivision 1 is appropriated to the commissioner of commerce for the
107.5 purposes of subdivision 1.

107.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

APPENDIX
Article locations in s3275-3

ARTICLE 1	OUTDOOR HERITAGE FUND	Page.Ln 2.15
ARTICLE 2	CLEAN WATER FUND	Page.Ln 23.8
ARTICLE 3	ENVIRONMENT AND NATURAL RESOURCES	Page.Ln 25.13
ARTICLE 4	REORGANIZATION	Page.Ln 63.23
ARTICLE 5	STATE LANDS	Page.Ln 68.10
ARTICLE 6	ENERGY	Page.Ln 101.28